

MISCELLANEOUS PARKS BILLS

HEARING
BEFORE THE
SUBCOMMITTEE ON NATIONAL PARKS
OF THE
COMMITTEE ON
ENERGY AND NATURAL RESOURCES
UNITED STATES SENATE
ONE HUNDRED NINTH CONGRESS
FIRST SESSION

on

S. 242

S. 262

S. 336

S. 670

S. 777

H.R. 126

APRIL 28, 2005



Printed for the use of the
Committee on Energy and Natural Resources

U.S. GOVERNMENT PRINTING OFFICE

22-582 PDF

WASHINGTON : 2005

For sale by the Superintendent of Documents, U.S. Government Printing Office
Internet: bookstore.gpo.gov Phone: toll free (866) 512-1800; DC area (202) 512-1800
Fax: (202) 512-2250 Mail: Stop SSOP, Washington, DC 20402-0001

COMMITTEE ON ENERGY AND NATURAL RESOURCES

PETE V. DOMENICI, *New Mexico, Chairman*

LARRY E. CRAIG, Idaho	JEFF BINGAMAN, New Mexico
CRAIG THOMAS, Wyoming	DANIEL K. AKAKA, Hawaii
LAMAR ALEXANDER, Tennessee	BYRON L. DORGAN, North Dakota
LISA MURKOWSKI, Alaska	RON WYDEN, Oregon
RICHARD M. BURR, North Carolina,	TIM JOHNSON, South Dakota
MEL MARTINEZ, Florida	MARY L. LANDRIEU, Louisiana
JAMES M. TALENT, Missouri	DIANNE FEINSTEIN, California
CONRAD BURNS, Montana	MARIA CANTWELL, Washington
GEORGE ALLEN, Virginia	JON S. CORZINE, New Jersey
GORDON SMITH, Oregon	KEN SALAZAR, Colorado
JIM BUNNING, Kentucky	

ALEX FLINT, *Staff Director*

JUDITH K. PENSABENE, *Chief Counsel*

ROBERT M. SIMON, *Democratic Staff Director*

SAM E. FOWLER, *Democratic Chief Counsel*

SUBCOMMITTEE ON NATIONAL PARKS

CRAIG THOMAS, *Wyoming, Chairman*

LAMAR ALEXANDER, *Tennessee, Vice Chairman*

GEORGE ALLEN, Virginia	DANIEL K. AKAKA, Hawaii
RICHARD M. BURR, North Carolina	RON WYDEN, Oregon
MEL MARTINEZ, Florida	MARY L. LANDRIEU, Louisiana
GORDON SMITH, Oregon	JON S. CORZINE, New Jersey
	KEN SALAZAR, Colorado

PETE V. DOMENICI and JEFF BINGAMAN are Ex Officio Members of the Subcommittee

THOMAS LILLIE, *Professional Staff Member*

DAVID BROOKS, *Democratic Senior Counsel*

CONTENTS

STATEMENTS

	Page
Akaka, Hon. Daniel K., U.S. Senator from Hawaii	3
Allen, Hon. George, U.S. Senator from Virginia	5
Feinstein, Hon. Dianne, U.S. Senator from California	23
Hutchison, Hon. Kay Bailey, U.S. Senator from Texas	2
Jones, Hon. Walter B., U.S. Representative from North Carolina	9
Lowe, Felicia, Vice President of the Board, Angel Island Immigration Station Foundation, San Francisco, CA	24
McCain, Hon. John, U.S. Senator from Arizona	2
Noonan, Patrick F., Chairman Emeritus of the Conservation Fund, Arlington, VA	29
Salazar, Hon. Ken, U.S. Senator from Colorado	3
Sarbanes, Hon. Paul S., U.S. Senator from Maryland	6
Soukup, Michael, Associate Director, Natural Resources Stewardship and Science, National Park Service, Department of the Interior	12
Thomas, Hon. Craig, U.S. Senator from Wyoming	1
Warner, Hon. John, U.S. Senator from Virginia	9

APPENDIXES

APPENDIX I

Responses to additional questions	35
---	----

APPENDIX II

Additional material submitted for the record	41
--	----

MISCELLANEOUS PARKS BILLS

THURSDAY, APRIL 28, 2005

U.S. SENATE,
SUBCOMMITTEE ON NATIONAL PARKS,
COMMITTEE ON ENERGY AND NATURAL RESOURCES,
Washington, DC.

The subcommittee met, pursuant to notice, at 2:30 p.m., in room SD-366, Dirksen Senate Office Building, Hon. Craig Thomas presiding.

OPENING STATEMENT OF HON. CRAIG THOMAS, U.S. SENATOR FROM WYOMING

Senator THOMAS. I will call the meeting to order. Thank you all for being here.

I want to welcome Mike Soukup from the National Park Service and other witnesses today for today's subcommittee hearing.

Our purpose for the hearing is to receive testimony on five Senate bills and one House bill. S. 242 is a bill to establish four memorials to the Space Shuttle *Columbia* in the State of Texas. S. 262 is a bill to authorize appropriations to the Secretary of the Interior for the restoration of the Angel Island Immigration Station in the State of California. S. 336 is a bill to direct the Secretary of the Interior to carry out a study of the feasibility of designating the Captain John Smith Chesapeake National Historic Watertrail as a National Historic Trail. S. 670 is a bill to authorize Secretary of the Interior to conduct a special resource study of sites associated with the life of Cesar Chavez and the farm labor movement. S. 777 is a bill to designate Catoctin Mountain Park in the State of Maryland as the Catoctin Mountain National Recreation Area, and for other purposes. And finally, H.R. 126 is a bill to amend Public Law 89-366 to allow for an adjustment in the number of free-roaming horses permitted in Cape Outlook National Seashore.

The Angel Island funding is a particular concern. The site is of historical significance as a west coast center, but it is not a unit of the National Park. It is a State-operated facility by the State of California. Use of Federal funds does not seem appropriate at a time when we are struggling to find funds to correct the maintenance backlog of our parks. I am looking forward to hearing testimony on the bill and discussing it further.

I thank my colleagues from the Senate who are here and all the witnesses for coming today. I look forward to hearing the testimony.

Senator Akaka.

[The prepared statements of Senators Hutchison, McCain and Salazar follow:]

PREPARED STATEMENT OF HON. KAY BAILEY HUTCHISON, U.S. SENATOR FROM TEXAS,
ON S. 242

Mr. Chairman and subcommittee members. Thank you for including S. 242, The Columbia Space Shuttle Memorials Act of 2005, in today's hearing.

High over Texas and just short of home, Space Shuttle Columbia exploded to pieces on February 1, 2003 raining debris over hundreds of miles of countryside. Seven astronauts perished—a gut-wrenching loss for the country and the world. The catastrophe occurred 39 miles above the Earth, in the last 16 minutes of the 16-day mission as the spaceship re-entered the atmosphere for a glide-in landing in Florida. In its horror and in its backdrop of a crystal blue sky, the day echoed one almost exactly 17 years before when the Space Shuttle Challenger exploded.

More than two years have passed since we lost the Columbia Space Shuttle and its brave crew. Still today no national memorial exists to honor the seven Americans whose lives were tragically cut short in pursuit of the newest frontier, space.

No memorial will ever erase the grief shared by so many on that fateful day, particularly for the families, but rather it will serve as a reminder to the world of the tremendous sacrifice our seven astronauts made. I personally will never forget hearing the sonic boom early that February morning, as Columbia disintegrated over my home state of Texas. This tragedy will forever remind America and the world of the importance of our continued commitment to explore space and the risks that those who make the journey face on every mission.

I appreciate the committee holding a hearing on this bill so we can recognize and honor the loss and sacrifice of the Columbia crew. In short, S. 242 would authorize the National Park Service to establish four memorials in areas where large pieces of debris from the Space Shuttle were recovered.

I look forward to working with my colleagues to pass this legislation. I thank you again for holding a hearing on this important matter.

PREPARED STATEMENT OF HON. JOHN MCCAIN, U.S. SENATOR FROM ARIZONA,
ON S. 670

I would like to thank the distinguished Chairman for holding this hearing on legislation affecting National Parks.

I am pleased to be joined by Senator Salazar in sponsoring S. 670, the Cesar Estrada Chavez Study Act, which we introduced on March 17, 2005. S. 670 would authorize the Secretary of the Interior to conduct a special resource study of sites associated with the life of Cesar Chavez and to determine whether any of the significant sites meet the criteria for being listed on the National Register of Historic Landmarks. The goal of this legislation is to establish a foundation for future legislation that would then designate land for the appropriate sites to become historic landmarks. An identical bill passed the Senate unanimously during the last Congress, has received an overwhelming positive response, not only from my fellow Arizonans, but from Americans all across the nation.

Cesar Estrada Chavez stands out in American history for helping Americans transcend distinctions of experience and share equally in the rights and responsibilities of freedom. Though he no doubt loved qualities of life associated with his family's Hispanic heritage, he will be remembered for the sincerity of his patriotism and for helping to make America a bigger and better nation. For all of these reasons, I express my support for the Cesar Estrada Chavez Study Act.

Cesar Chavez, an Arizonan born on a small farm near Yuma, was the son of migrant farm workers.

While his formal education ended in the eighth grade, his insatiable intellectual curiosity and determination helped make him known as one of the great American leaders for his successes in organizing migrant farm workers.

During the Great Depression, the Chavez family lost their farm and as a result, they migrated across the southwest looking for farm work. His exposure to the hardships and injustices of farm worker life helped Chavez evolve into a defender of worker's rights. He founded the National Farm Workers Association in 1962, which later became the United Farm Workers of America (UFWA). As leader of the UFWA, Chavez was able to attain fair wages, medical coverage, pension benefits, and humane living condition, along with countless other rights and protections for farm workers.

Cesar Chavez gave a voice to those who had no voice. In his words, “We cannot seek achievement for ourselves and forget about progress and prosperity for our community . . . our ambitions must be broad enough to include the aspirations and needs of others, for their sakes and for our own.”

Cesar Chavez was a humble man of deep conviction who understood what it meant to serve and sacrifice for others. His motto in life, “si, se puede” or it can be done, epitomizes his life’s work and continues to influence those wishing to improve our nation. Honoring the places of his life will enable his legacy to inspire and serve as an example for our future leaders.

Thank you again for holding today’s hearing and for allowing me to express my strong support for this legislation.

PREPARED STATEMENT OF HON. KEN SALAZAR, U.S. SENATOR FROM COLORADO,
ON S. 670

It was with great pleasure that I joined with Senator McCain earlier this year to introduce Senate Bill 670, the Cesar Estrada Chavez Study Act.

The Cesar Estrada Chavez Study Act is a straightforward bill that takes an important first step in memorializing the tremendous contributions of an exemplary American and a passionate champion of human and civil rights.

The bill will direct the National Park Service to conduct a study of the sites associated with the life of Cesar Chavez, which will help lay the necessary groundwork for the preservation of these sites as national historic landmarks.

As a leader that helped shine a light on the plight of America’s often forgotten farm workers, Mr. Chavez is a personal hero of mine.

Cesar Chavez came from humble roots, but his strength of character led him to achieve great things—he was born on March 31, 1927 in Yuma, Arizona, where he spent his early years on his family’s farm.

At the age of 10, his family lost their farm in a bank foreclosure, forcing them to join the thousands of farm workers that wandered the Southwest to find work.

He worked in the fields and vineyards with his family, where he experienced firsthand the hardships and the injustices in farm worker life, and became determined to bring dignity to farm workers.

In 1962, he founded the National Farm Workers Association, which would later become the United Farm Workers of America (UFW). And through the UFW, Chavez called attention to the terrible working and living conditions of America’s farm workers.

Most importantly, he organized thousands of migrant farm workers to fight for fair wages, health care coverage, pension benefits, livable housing, and respect.

Chavez once remarked, “It is my deepest belief that only by giving our lives do we find life.” He gave his life to ensure farm workers were afforded the rights and dignity they deserved, and it is time we honor him by preserving his life and legacy.

I hope that we can move forward and swiftly send the Cesar Chavez Act to full Senate for consideration.

**STATEMENT OF HON. DANIEL K. AKAKA, U.S. SENATOR
FROM HAWAII**

Senator AKAKA. Thank you very much, Mr. Chairman, and thank you for scheduling this hearing.

Most of the bills on today’s agenda are noncontroversial, and I look forward to working with you and all of the bill sponsors to move them through the committee as soon as possible.

I would like to take a minute to talk about one of the bills that is of particular interest to me, and that is S. 262, the Angel Island bill. The history of Angel Island is an important chapter in our Nation’s history, and I am pleased to be an original cosponsor of Senator Feinstein’s bill to help with the restoration of the Angel Island Immigration Station.

I would like to offer a warm welcome to my friend, Felicia Lowe, the vice president of the board of the Angel Island Immigration Station Foundation, who hosted my tour of the immigration station

in San Francisco. I also would like to welcome Kathy Turner, the new president of the board.

I visited Angel Island in 1999 because of my interest in understanding and documenting the history of Asian Americans, Pacific Islanders, and other groups not traditionally acknowledged through public history. I had hopes that the National Park Service could identify and memorialize movements and migrations of many peoples that entered and settled the United States through the peopling of America. The immigration station at Angel Island is an important part of this history. I was moved by the poems that were written on the walls of the barracks during the struggle of Japanese and Chinese trying to come to the United States. I was impressed with the amount we can learn about our collective history through the restoration of the immigration facility.

Angel Island is often referred to as the Ellis Island of the West because of the large number of immigrants who arrived and were processed through the immigration facilities located on the island. However, there was an important difference between the two sites. Although both Angel Island and Ellis Island processed immigrants to the United States, Angel Island was built for the specific purpose of excluding immigrants of Asian descent as a result of the 1880 Chinese Exclusion Act and other laws targeting Asian immigrants. Much of the history associated with Angel Island reflects a dark chapter of American history, although an important one. I think it is important that we understand the diversity and the complexity of our Nation's history, especially of people whose history and culture is not as well known as those who arrived through Ellis Island. Preserving the buildings at Angel Island will help to tell the story.

Mr. Chairman, I know there is concern with this bill because it authorizes a pass-through grant from the National Park Service to help restore a non-Federal facility. As a general rule, I share the concern that Park Service funding not be diluted for non-Federal purposes. However, I think a different case can be made for this bill. Angel Island has already been designated by the Secretary of the Interior as a National Historical Landmark, the highest designation a Secretary can bestow, and that showcases Angel Island's national significance. In my opinion, Angel Island, like its eastern counterpart, Ellis Island, would be an appropriate addition to the National Park System.

However, in this case, the State of California and a nonprofit group, the Angel Island Immigration Station Foundation, have stepped in to assume management responsibilities for the site. Any Federal funds appropriated for this purpose must be met with non-Federal funds. The State of California has already approved a \$15 million bond for restoration at Angel Island, which is in addition to other State contributions and funds raised by the foundation. And this is the story I wanted to tell.

Mr. Chairman, I would like to welcome the witnesses and look forward to hearing their testimony and learning more about these bills. Thank you very much.

Senator THOMAS. Thank you, sir.
Senator Allen, any comments?

**STATEMENT OF HON. GEORGE ALLEN, U.S. SENATOR
FROM VIRGINIA**

Senator ALLEN. Yes. Thank you, Mr. Chairman. I appreciate the opportunity to speak about an important time in our history, a place, and a hero, which is part of the rich heritage of our Commonwealth of Virginia and ultimately our Nation, a measure that I have introduced. In fact, the key sponsor, the lead sponsor, along with myself, is Senator Sarbanes. Senator Warner is on board, as well as Senator Mikulski.

This has to do with about 400 years ago. Captain John Smith, one of America's earliest explorers, sailed into the Chesapeake Bay in uncharted waters at that time. He was the key founder of the settlement at Jamestown. He spent 3 years from 1607 to 1609 exploring and mapping the Chesapeake Bay region and the tributaries of the Chesapeake Bay which include the Potomac River and the Rappahannock, and clearly also the Susquehanna. In fact, all the tributaries are not just in Virginia. There are many in Maryland, Pennsylvania, and also in Delaware to some extent.

These were some of the most accurate maps, and I am glad to see that there is one here. His voyages and travels throughout Virginia and the Chesapeake Bay motivated him to write—and I quote—"heaven and earth never agreed better to frame a place for man's habitation." And so millions of people later agree with it.

So I have joined with Senators Sarbanes, Warner and Mikulski to introduce the Captain John Smith Chesapeake National Historic Watertrail Study Act of 2005. This legislation would investigate the possibility of designating the route that Captain John Smith's exploration took him in the Chesapeake Bay and its tributaries and make this a National Historical Trail. This would expand, in my view, the educational and recreational opportunities for people. It would protect natural resources, provide economic growth for tourism in this region. And it would also fit in perfectly with the celebration of the 400th anniversary of the founding of the Jamestown colony and focus also on the Chesapeake Bay and its many attractions and educational opportunities.

So with this study and this measure, when the eyes of the world will be on Virginia and Jamestown in 2007, which will be the 400th anniversary of the founding of Jamestown, I think the John Smith Watertrail is a fitting and a framing tribute to the birthplace of American democracy and the cradle of American liberty.

I would respectfully ask you, Mr. Chairman, and members of this committee to pass this measure as quickly as possible so that planning can begin. I think this will be an exciting way of having trails in a different sense. It is one that I think will enhance tourism and jobs while also protecting the natural beauty and the historic heritage of the entire region.

I thank you and I thank also Senator Sarbanes for his truly outstanding and vital leadership on this measure as well. Thank you, Mr. Chairman.

Senator THOMAS. Thank you, Senator. 1607.

Senator ALLEN. 1607.

Senator THOMAS. Captain Smith did not make it to Wyoming then, I do not believe.

Senator ALLEN. No, he did not. He did not make it to Wyoming, but he would have liked to have.

[Laughter.]

Senator ALLEN. He would have loved to have seen the Tetons.

I will note Massachusetts was founded in 1620 and if you look at the Mayflower Compact, they thought they were landing in northern Virginia. If they had seen John Smith's charts, they would not have called it northern Virginia. But a whole year before the pilgrims set foot up there, Virginia already had a legislative body. So when you talk about the cradle of democracy, they already had a legislative body. This will help.

Folks will want to come in from Wyoming probably more in the wintertime. In the summer everyone wants to be out there in Wyoming.

Senator THOMAS. We will trade you.

We will start with Senator Sarbanes. Thank you, sir. I appreciate your being here.

**STATEMENT OF HON. PAUL S. SARBANES, U.S. SENATOR
FROM MARYLAND**

Senator SARBANES. Mr. Chairman, Senator Akaka, thank you very much for this opportunity to testify on two measures I have introduced: one, to redesignate Catoctin Mountain Park as Catoctin Mountain National Recreation Area, and the other to authorize a feasibility study of designating the route of Captain John Smith's exploration of the Chesapeake Bay as a National Historic Watertrail.

Actually on a subsequent panel, you will be hearing from Patrick Noonan, founder and chairman emeritus of The Conservation Fund, who essentially conceived of the John Smith Watertrail and has long been an outstanding leader in the protection of wildlife habitat and historic sites throughout our country. I know the committee will find his testimony very compelling.

Mr. Chairman, I testified before you in March 2003 and am grateful for the support the committee provided then in approving the renaming of Catoctin Park in the 108th Congress. I hope you can so act again this year and hopefully we will be able to get concurrence on the House side. I also hope you will be able to move favorably and swiftly on the Captain John Smith Watertrail study.

I have a full statement, which I would like to have included in the record, and I will try to summarize in deference to the committee's time constraints. But let me just underscore the principal rationale behind each of these two measures.

The purpose of S. 777, the Catoctin Mountain National Recreation Area Designation Act, is to address the longstanding confusion about the ownership and management of Catoctin Mountain Park, as it is now known, and to clearly identify this park as a unit of the National Park System.

Home to Camp David, this 6,000-acre park in Frederick County, Maryland, has been aptly described by a travel writer as America's most famous unknown park. The proximity of Catoctin Mountain Park, Camp David, and Cunningham Falls State Park, and the differences between the national and the State park management have been the source of confusion for visitors to the area for a long

time. The Federal facility, the Catoctin Mountain Park, has been continually misidentified by the public as containing lake and beach areas associated with Cunningham Falls State Park, which is operated by the State of Maryland, and alternatively, as being closed to the public because of Camp David. Also, the situation is further confused by the presence of the privately-owned Catoctin Wildlife Preserve and Zoo. The superintendent of the park tells us that National Park employees spend significant time explaining, assisting, and redirecting visitors to their desired destinations.

We propose to remedy this situation by renaming the unit the Catoctin Mountain National Recreation Area. The mission and characteristics of the park make this designation appropriate. It is supported by the Frederick Board of County Commissioners and the Tourism Council of Frederick County. The Maryland State Highway Administration, perhaps in anticipation of this bill, has already changed some of the signs leading to the park to reflect the name we propose. This bill would make the name change official within the National Park Service and on official National Park Service maps.

Now, S. 336, the Captain John Smith National Watertrail, as Senator Allen noted, is a bipartisan and multi-State measure, co-sponsored by Senators Allen and Warner, Senator Mikulski, and Senator Biden. I think it is of great historical importance to all of us in that it represents the beginning of our Nation's story. As one of the first explorers of the New World, John Smith played a key role in the founding and survival of Jamestown, the first permanent English settlement in North America. His explorations in search of food for the new colony and in search of the fabled Northwest Passage—I think he thought he would be able to get to Wyoming if he found the Northwest Passage.

[Laughter.]

Senator SARBANES. But it took him nearly 3,000 miles around the Chesapeake Bay from the Virginia capes to the mouth of the Susquehanna. He kept these remarkably accurate maps of the land and water, and his journals describing the indigenous people he met and the beauty and abundance of the Chesapeake Bay region helped launch an era of discovery in the New World.

As Jamestown's 400th anniversary approaches in 2007—that is a real milestone I must say—I think designating this trail as our first National Historic Watertrail would be a tremendous way to celebrate the beginnings of our Nation's story. It would serve to educate visitors about the new colony at Jamestown, about John Smith's journey, the history of the 17th century Chesapeake region, and the Native Americans that inhabited the bay area. It is a real opportunity for recreation and heritage tourism, not only for the 16 million people who live in the bay watershed, but for visitors from throughout the country and from abroad.

I think this proposed watertrail would be a fitting addition to the 13 National Historic Trails established in the National Park Service to commemorate major events that shaped American history. This, of course, is a study to determine the feasibility of such a watertrail.

The legislation has been endorsed by the Governors of Virginia, Pennsylvania, Delaware, and Maryland. It is strongly supported by

the Izaak Walton League, the Chesapeake Bay Foundation, the Chesapeake Bay Commission, and The Conservation Fund. Again, I close by thanking and commending Pat Noonan for his vision in conceiving this trail. I join with Senator Allen in underscoring its importance, and we certainly urge the committee to approve this measure and bring it before the full Senate for its consideration. Thank you very much.

[The prepared statements of Senators Sarbanes and Warner follow:]

PREPARED STATEMENT OF HON. PAUL S. SARBANES, U.S. SENATOR FROM MARYLAND,
ON S. 777

Thank you, Mr. Chairman and Members of the Committee, for this opportunity to testify on two measures I have introduced to re-designate Catoctin Mountain Park as “Catoctin Mountain National Recreation Area” and to authorize a feasibility study of designating the route of Captain John Smith’s exploration of the Chesapeake Bay as a National Historic Watertrail.

I testified before this Committee in March, 2003 and am grateful for the support the Committee provided in approving the Catoctin Park renaming legislation during the 108th Congress. I hope that the Committee can do so again this year and also act favorably and swiftly on the Captain John Smith Watertrail study. I would just like to underscore today some of the principal rationales behind these two measures.

The purpose of S. 777, the Catoctin Mountain National Recreation Area Designation Act, is to address longstanding confusion about the ownership and management of Catoctin Mountain Park and to clearly identify this park as a unit of the National Park System. The park is one of only 17 units in the entire 388-unit National Park System—most located in the National Capital Region—that does not have the word “national” in its title. Those units include four parkways, the White House, Wolf Trap Farm Park for the Performing Arts and four wild and scenic rivers.

Home to Camp David, this 6000-acre park in Frederick County, Maryland has been aptly described by a travel writer as “America’s most famous unknown park.” The proximity of Catoctin Mountain Park, Camp David, and Cunningham Falls State Park and the differences between national and state park management, have long been the source of confusion for visitors to the area. Catoctin Mountain Park has been continually misidentified by the public as containing lake and beach areas associated with Cunningham Falls State Park, being operated by the State of Maryland, or being closed to the public because of the presence of Camp David. Likewise, a privately owned Catoctin Wildlife Preserve and Zoo is often confused with the park. The Superintendent of the Park has advised me that National Park employees spend countless hours explaining, assisting and redirecting visitors to their desired destinations.

S. 777 seeks to address this situation by renaming the unit the Catoctin Mountain National Recreation Area. The mission and characteristics of this park make this designation appropriate. The legislation is not controversial and would not change current uses occurring within the park. It is supported by the Frederick Board of County Commissioners and the Tourism Council of Frederick County. The Maryland State Highway Administration, perhaps in anticipation of the enactment of this bill, has already changed some of the signs leading to the Park to reflect this name. This bill would make the name change official within the National Park Service and on official National Park Service maps.

S. 336, the Captain John Smith Chesapeake National Historic Watertrail Study Act of 2005, is a bipartisan and multi-state measure which is co-sponsored by Senators Allen, Biden, Mikulski and Warner. The proposed National Historic Watertrail is of great historical importance to all Americans in that it represents the beginning of our nation’s story. As one of the first explorers of the New World, John Smith played a key role in the founding and survival of Jamestown—the first permanent English settlement in North America. His explorations in search of food for the new colony and the fabled Northwest Passage took him nearly 3,000 miles around the Chesapeake Bay from the Virginia capes to the mouth of the Susquehanna. Smith’s remarkably accurate maps of the land and water and his journals describing the indigenous people he met and the beauty and natural abundance of the Chesapeake Bay region helped launch an era of discovery in the New World. Even today, his vivid descriptions of the Bay’s bounty—oysters so ubiquitous that they “lay as thick as stones” and “an abundance of fish, lying so thick with their heads above the

water, as for want of nets . . . we attempted to catch them with a frying pan”—still serve as a benchmark for the health and productivity of the Chesapeake Bay.

As Jamestown's 400th anniversary approaches in 2007, designating this trail as our first national historic watertrail would be a tremendous way to celebrate the beginning of our nation's story. It would serve to educate visitors about the new colony at Jamestown, John Smith's journey, the history of 17th century Chesapeake region, and the Native Americans that inhabited the Bay area. It would provide new opportunities for recreation and heritage tourism not only for more than 16 millions Americans living in the Chesapeake Bay's watershed, but for visitors to this area throughout the country and abroad. Equally important, it would also help highlight our current efforts to restore and sustain the nation's largest and most productive estuary.

In my judgment, the proposed watertrail is a fitting addition to the 13 National Historic Trails established in the National Park Service to commemorate major events which shaped American history. The legislation has been endorsed by the Governors of Virginia, Pennsylvania, Delaware and Maryland. It is strongly supported by the Izaak Walton League, the Chesapeake Bay Foundation and the Chesapeake Bay Commission. I want to commend Pat Noonan for his vision in conceiving this trail and urge the Committee to swiftly approve this measure and report it to the full Senate for consideration.

PREPARED STATEMENT OF HON. JOHN WARNER, U.S. SENATOR FROM VIRGINIA,
ON S. 336

Chairman Thomas, Senator Akaka, and my other distinguished colleagues on the Senate's Subcommittee on National Parks, I thank you for holding this hearing today so that we may discuss legislation important to my state and the Chesapeake Bay.

In 2007, Virginia, along with the rest of our great Nation, will celebrate the 400th anniversary of the historic founding of Jamestown, the first permanent English settlement in the New World. At this site, back in 1607, an adventurous band of Englishmen, led by Captain John Smith, pitched down their stakes on the shores of the Chesapeake Bay, tired from a long journey across the blue ocean, but full of hope for the possibilities that lay ahead.

As we Virginians know, Mr. Chairman, nobody was more influential in this founding endeavor than Captain John Smith. He was the first ambassador to the native peoples of the Chesapeake, exchanging cultural customs, and trading goods necessary for the fledgling colonists survival. John Smith was also the first English explorer of the many creeks and rivers that populate the Maryland and Virginia of today. From 1607 to 1609, Captain Smith plied the briny Bay waters, recording history and surveying the land, even this patch of Earth where our nation's Capitol stands today. In honor of Captain Smith's historic 3,000 mile journey through the choppy Chesapeake's main stem and tributaries, my colleagues and I from the Bay States join together in support of legislation authorizing a study of the feasibility of designating the Captain John Smith Chesapeake National Historic Watertrail.

What would this trail accomplish? Outside of the obvious tourism it would bring to the region, and besides the fact that its creation would complement the existing Chesapeake Gateways Network, the Watertrail would educate Americans on the perils of our first English settlers, on their interaction with the numerous Native tribes, on the voyages they undertook to better understand the New World they had come to inhabit. First hand, citizens of all ages would be able to retrace the paddle strokes and footsteps of Captain John Smith, to see what he saw, to learn what he learned. Mr. Chairman, I urge my colleagues to join me in supporting this feasibility study for the Captain John Smith Chesapeake National Historic Watertrail.

Senator THOMAS. Thank you very much, Senator.
Congressman Jones.

**STATEMENT OF HON. WALTER B. JONES,
U.S. REPRESENTATIVE FROM NORTH CAROLINA**

Mr. JONES. Mr. Chairman, thank you very much, and members of the committee, thank you for this opportunity. I have a full statement, sir. If I could submit it, and then summarize the statement, sir?

Senator THOMAS. It will be included.

Mr. JONES. Thank you, sir.

Mr. Chairman, I want to thank you. This is the second time in the last year that you have heard this bill and I want to thank you and Senator Akaka for that opportunity as well.

What this bill does, H.R. 126, is this is going to help ensure and protect a herd of wild Spanish horses that has occupied the Shackleford Banks of North Carolina, which is part of the barrier islands, that really have been traced back by genetic scientists for 3 centuries. This really goes back to the Spanish mustangs from the ships that wrecked off the coast of North Carolina. Little horses swam ashore.

In 1998, with the House and Senate and also with the Park Service, we put a bill in that became law that would create an existing partnership with the Shackleford Banks Horse Foundation, which is based in North Carolina in my district, along with the Park Service so that they could work together to ensure the future and the viability of the herd.

What H.R. 126 will do is to take the number which now is around 110 and give it a little flexibility and take it to a minimum of 110 to a range of 120 to 130.

Now, this range is based on two very well-known scientists. One is a genetic scientist from Princeton University who testified on behalf of this legislation a few years ago. His name is Dr. Dan Rubenstein. He is internationally known for his work. Mr. Chairman, he each and every year for the past 20-some years takes students down from Princeton University to the barrier islands. They stay there and spend about 4 weeks monitoring these horses. It is kind of fascinating to know what they are doing to ensure the history and the future of these horses.

In addition to Dr. Rubenstein is Dr. Gus Cothran, who also is a genetic specialist from the University of Kentucky. They each and every year work with the Park Service down in my district, as well as the local citizens, to ensure the viability and the future of these little horses.

I am pleased to say that from 1998 and through today and including today, the National Park Service has worked with us and has worked hand in hand not only with myself or with our Senator Burr and Senator Dole, but also with the local citizens. This has been a real success story, sir, of how the Federal Government can work with the local people to see a part of history maintained and hopefully guaranteed for the future.

Mr. Chairman, that is a summary of what this does. The bill again is to raise the number slightly and that is based on the genetic scientists.

[The prepared statement of Mr. Jones follows:]

PREPARED STATEMENT OF HON. WALTER B. JONES, U.S. REPRESENTATIVE FROM
NORTH CAROLINA, ON H.R. 126

Mr. Chairman, thank you for scheduling this hearing on H.R. 126, which adjusts the number of free roaming horses permitted on Shackleford Banks in the Cape Lookout National Seashore. As you may recall, last year you were kind enough to hold a hearing on H.R. 2055—a bill I introduced in the 108th Congress that is identical to H.R. 126.

Shackleford Banks is a barrier island off the coast of North Carolina that has been home to a herd of wild horses for over three centuries. In fact, experts believe

the herd descended from Spanish stallions that were shipwrecked on the island during colonial times.

Over the years, the Shackleford horses have become an integral part of the natural and cultural fabric of Eastern North Carolina. They are treasured by the local community and adored by the visitors who come from around the world to see them.

To protect these beautiful creatures, in 1997 I introduced the Shackleford Banks Wild Horses Protection Act which the President later signed into law. The Act directed the Department of the Interior to enter into an agreement with a non-profit group—the Foundation for Shackleford Horses—to manage the herd. It also required the Department to allow a herd of 100 free-roaming horses in the Seashore, and it set out terms under which horses could be removed, including a prohibition on removal “unless the number of horses . . . exceeds 110.”

As the National Park Service and the Foundation began to implement the Act, disagreement erupted over the law’s requirements on the size of the herd. The Park Service interpreted the Act to mean that the herd’s population should be kept between 100 and 110. However, as the author of the legislation, I can tell you this interpretation was inconsistent with Congressional intent, which was to allow the herd to hover above 110.

The Park Service’s interpretation also conflicted with the established scientific consensus on the size of the herd. Studies by world-renowned genetic scientists Dr. Daniel Rubenstein of Princeton University, and Dr. Gus Cothran of the University of Kentucky, confirm that in order to maintain the herd’s long-term viability, its optimum size is around 120 animals. The experts also agree that the population should not dip below 110 and that it should be allowed to expand periodically to numbers at or above 130 in order to sustain the proper genetic diversity in the herd. It’s important to note that these numbers are well within the island’s carrying capacity.

After years of disagreement on the issue of herd size, the Park Service met in the fall of 2002 with the Foundation for Shackleford Horses, Dr. Rubenstein, Dr. Cothran and other stakeholders to find middle ground. After two days of meetings, the parties emerged with an agreement that largely mirrors the scientific understanding of how the horses should be managed.

H.R. 126 seeks to codify this scientific consensus into law. It would allow a herd of “not less than 110 free roaming horses, with a target population of between 120 and 130 free roaming horses.” It would also clear up confusion on when horses can be removed from the island by mandating that removal can only occur if “carried out as part of a plan to maintain the viability of the herd.”

Mr. Chairman, this non-controversial legislation is supported by the Park Service, the scientific experts and the local community. It is a legislative fix based on sound science, and I urge the Subcommittee to support it.

Senator THOMAS. If I may, we usually do not ask questions, but I do not think anyone else is going to testify on this bill. Are they?

Mr. JONES. I do not know, unless the Park Service is.

Senator THOMAS. Why can this not be done without any legislation?

Mr. JONES. Well, it is my understanding that this deals with the management plan and if we do not have this spelled out legislatively or in the law, it will create some difficulty for those that have to interpret the intent of Congress. So based on the discussions we have had with the Park Service and also with the genetic scientists, they feel that to guarantee the viability of the herd, if we can get this little change in it, this should take care of it for years to come.

Senator THOMAS. I noticed now, after I asked the question. The 1998 law required the park to maintain a free-roaming herd between 100 and 110.

Mr. JONES. Yes, sir.

Senator THOMAS. I see.

Mr. JONES. I am sorry I did not explain that clearly.

Senator THOMAS. I should have read my paper.

Thank you very much, sir. We appreciate it.

Mr. JONES. Thank you, Mr. Chairman.

Senator THOMAS. If we could now get on with our panelists, Mr. Michael Soukup, associate director, natural resources stewardship and science, National Park Service.

**STATEMENT OF MICHAEL SOUKUP, ASSOCIATE DIRECTOR,
NATURAL RESOURCE STEWARDSHIP AND SCIENCE, NA-
TIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR**

Mr. SOUKUP. Thank you for this opportunity. I have six bills to testify on, and I am wondering, should I go through them now all at one time, or should I do them separately?

Senator THOMAS. No. If would just go through them fairly briefly right now, that would be great.

Mr. SOUKUP. I will try to do them in a series.

Mr. Chairman, thank you for the opportunity to present the Department of the Interior's views on H.R. 126, a bill to adjust the number of free-roaming horses within Cape Lookout National Seashore.

The Department is strongly committed to conserving, protecting, and maintaining viable populations of horses on Shackleford Banks, as Congress has directed. The Department believes that the number of horses should be determined by the ecology of the island and with a strong focus on means that protect the genetic viability of the Shackleford Banks horses.

This bill adopts the number of horses recommended by leading equine geneticists and the Department supports this bill with an amendment that incorporates the exact intent of these geneticists.

I would like to move to S. 242. The Department does not support S. 242 unless it is amended to authorize a study to determine the most appropriate and effective way to establish a memorial to honor the brave men and women of the *Columbia* crew. A study is first necessary to provide an opportunity to consult with other agencies and organizations to determine what other commemorative efforts have been undertaken and to assess the alternatives for providing a full measure of appropriate commemoration. The study would also look at the various alternatives for managing and administering the appropriate sites through State, local, and private organizations, as well as the National Park Service.

Congress has established a process that authorizes studies before designation of new units in the National Parks Omnibus Management Act of 1998, and that process would appear to be valuable in determining what range of actions can best be crafted to memorialize the spirit and adventure of the space program and the men and women who accept the dangers and challenges of space flight.

S. 262. The Department commends the work that is being done to restore Angel Island Immigration Station and its important story. The National Park Service has been an active partner in this worthy project.

However, the Department opposes this legislation for important reasons. We believe it is inappropriate to use limited National Park Service appropriations to restore non-National Park Service structures. Using these limited funds in this manner would limit our ability to address priority needs in other NPS units, and that has been recognized and emphasized by the President's initiative to reduce our deferred maintenance backlog.

The National Park Service has provided significant technical assistance, including an historic structure report, building condition assessments, and feasibility studies. We believe that is the proper role of the National Park Service in supporting this effort.

In sum, we do not believe it is appropriate for the National Park Service budget to be used as a major funding source for the restoration of the Angel Island Immigration Station, a State property.

Mr. Chairman, S. 336 is a bill to amend the National Trails System Act to direct the Secretary to study the feasibility of designating the Captain John Smith Chesapeake National Historic Watertrail as a National Historic Trail. The Department supports S. 336.

The proposed trail would follow a series of routes extending over 3,000 miles along the Chesapeake Bay and its tributaries that trace Captain John Smith's voyage from 1607 through 1609. His explorations recorded significant information about the bay and its Native Americans and the Chesapeake environment and produced one of the first detailed maps of the region, as we previously heard.

Today the Chesapeake Bay watershed is home to 16 million people and the bay is the focus of a very important restoration effort by the Chesapeake Bay Program, a partnership effort between Virginia, Maryland, Pennsylvania, District of Columbia, the Chesapeake Bay Commission, and the Federal Government, as represented by EPA.

The National Park Service coordinates the Chesapeake Bay Gateways Network, authorized by the Chesapeake Bay Initiative Act of 1998. This partnership system of 147 designated Chesapeake Bay Gateways serves to connect the American public with the resources and themes of the nationally significant Chesapeake Bay.

Through the Department's existing authority under the Chesapeake Bay Gateways Network we could establish a Captain John Smith Watertrail. However, to be designated as a National Historic Trail under the National Trails Act, an amendment to the Act would be required. Congress normally only considers such a designation after the completion of a study, as would be authorized by S. 336.

We support this bill as an appropriate step in considering the exploration of the Chesapeake Bay by Captain John Smith for designation as part of the National Trails System.

Mr. Chairman, S. 670 is a bill to authorize the Secretary of the Interior to conduct a special resource study of sites associated with the life of Cesar Chavez and the farm labor movement.

The Department supports this study as a good opportunity to work with the Cesar Chavez Foundation and others to identify valuable resources associated with the story of Chavez's life. Chavez has taken his place in history among national labor leaders and serves as a symbol for all Americans of what can be accomplished in this country through courage and non-violent action.

The National Park Service has already collaborated with the foundation and others in preparing the preliminary assessment and scope for future research on-sites associated with Chavez and the farm worker movement. This would give us a head start on the studies authorized by S. 670.

Mr. Chairman, S. 777 is a bill to designate Catoctin Mountain Park in the State of Maryland as the Catoctin Mountain National Recreation Area.

The Department supports S. 777 with two technical corrections added at the end of our official testimony.

This bill provides a name for Catoctin Mountain Park that is appropriate for the purpose and the use of this unit and would update the authorization for administering this park. This name change would also reduce confusion about the identity and activities permitted at Catoctin Mountain Park, distinguishing this unit from the local State parks as well as the privately owned Catoctin Wildlife Preserve and Zoo. Catoctin Mountain Park, with its new name, would become recognizable as one of the five National Park System units in Frederick County and is supported by the efforts of the Maryland Office of Tourism Development to promote this asset.

S. 777 provides for administration of this unit in accord with laws governing the National Park System and ensures that the park is able to appropriately administer the park's historic, cultural, and natural resources.

We are currently reviewing previous authorizations for Catoctin Mountain Park to determine if any should be repealed. We will advise the subcommittee of our findings as soon as possible.

Thank you, Mr. Chairman. I hope I have covered these adequately and this concludes my remarks. I would be happy to respond to any questions you might have.

[The prepared statements of Mr. Soukup follow:]

PREPARED STATEMENT OF MICHAEL SOUKUP, ASSOCIATE DIRECTOR, NATURAL RESOURCES STEWARDSHIP AND SCIENCE, NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR

ON H.R. 126

Mr. Chairman, thank you for the opportunity to present the Department of the Interior's views on H.R. 126, a bill to adjust the number of free-roaming horses within Cape Lookout National Seashore.

The Department supports H.R. 126, with an amendment regarding the population range of the horses that incorporates recommendations from a panel of scientists and others interested in the Shackleford Banks. This bill passed the House on March 14, 2005. The Department testified before the House Subcommittee on National Parks and the Senate Subcommittee on National Parks in the 108th Congress in support of an identical bill, H.R. 2055.

The Department is strongly committed to conserving, protecting, and maintaining a representative number of horses on the Shackleford Banks portion of the Seashore, as Congress has directed. The Department believes that the number of horses on Shackleford Banks should be determined by the ecology of the island and with a strong focus on means that protect the genetic viability of the Shackleford Banks horses.

Without this legislation, NPS would manage this herd consistent with P.L. 105-229 that provides for a herd of 100 free-roaming horses.

H.R. 126 amends P.L. 89-366 by changing the number of free-roaming horses at Cape Lookout National Seashore from 100, to not less than 110, and establishes a target population of between 120 and 130 horses. The bill also changes one of the criteria that the Secretary of the Interior may use to remove free-roaming horses from the Seashore, allowing removal as part of a plan to maintain viability of the herd.

Congress established Cape Lookout National Seashore (Seashore) on March 10, 1966. Encompassing more than 28,000 acres of land and water about 3 miles off the mainland coast, the Seashore protects one of the few remaining natural barrier island systems in the world with excellent opportunities for fishing, shellfishing, hunting, beachcombing, hiking, swimming, and camping in a wild and remote setting.

The enabling legislation for the Seashore did not address the issue of free-roaming wild horses on Shackleford Banks. Public comments on the Seashore's 1982 Draft General Management Plan demonstrated widespread concern about, and interest in, the future of the horses on Shackleford Banks. The Final General Management Plan stated that, a representative number of horses would remain on Shackleford Banks after the privately owned land on the island was purchased by the United States.

In 1996, following a series of public meetings, as well as discussions with scientists and professional managers of wild horse herds, the Seashore developed an Environmental Assessment (EA) with alternatives for managing the Shackleford Banks horse herd.

The plan proposed to maintain a representative herd of horses by using a combination of contraceptive drugs and periodic roundups and removal of horses.

On November 11, 1996, the National Park Service (NPS), with assistance from state veterinarians from the North Carolina Department of Agriculture, initiated a roundup of the Shackleford horses. State law required testing the horses for Equine Infectious Anemia (EIA). Out of the 184 horses on the island, 76 tested positive for EIA and were removed to the mainland for temporary quarantine. On the advice of the North Carolina Department of Agriculture, these horses were euthanized.

In December 1996, the NPS established the Shackleford Banks Horse Council, representing a wide variety of interests and stakeholders, as a working committee to assist the park with plans for managing horses. In 1997, a second roundup and testing program was conducted on the Shackleford horses. Of the 103 horses on the island, five tested positive for EIA. By this time, the Foundation for Shackleford Horses, Inc. had secured a state-approved quarantine site and the five EIA positive horses were transferred to it. In the transfer document, the Foundation and the Service committed to develop a long-term Memorandum of Agreement (MOA) to cooperate in the management of the Shackleford Banks horses. On an interim basis, the Service issued a special use permit to the Foundation to allow it to assist with the management of the herd.

On August 13, 1998, Congress passed P.L. 105-229, "An Act To Ensure Maintenance of a Herd of Wild Horses in Cape Lookout National Seashore." This act directed the NPS to maintain a herd of 100 free roaming horses and to enter into an agreement with the Foundation for Shackleford Horses, Inc. or another qualified nonprofit entity, to provide for the management of free-roaming horses in the Seashore. In April 1999, a Memorandum of Understanding with the Foundation for Shackleford Horses, Inc. was signed.

P.L. 105-229 requires an annual Findings Report that provides the public with information regarding the population, structure, and health of the horses on Shackleford Banks. Research, monitoring and record-keeping, with the goal of informed decisions for removal and immunocontraception, is ongoing, as is consultation with internationally recognized advisors in the fields of equine behavior, genetics, virology, immunocontraception, management, humane issues, and island ecology. The NPS continues to work with the Foundation under the MOU and management decisions regarding the horses are reached jointly with the Foundation and with the advice of scientists.

On October 29 and 30, 2002, the NPS hosted a roundtable meeting with the aim of reaching a consensus on the free-roaming horse population range and the strategy for achieving that range. Participants included the Seashore Superintendent and staff, staff from Representative Jones' office, and representatives from the Foundation for Shackleford Horses, Inc. Three leading scientists considered experts in their respective fields also participated: Dr. Dan Rubenstein of Princeton University, Dr. Gus Cothran of the University of Kentucky, and (by telephone) Dr. Jay Kirkpatrick of ZooMontana.

Included in the discussion was the value of occasional herd expansion to maintain genetic variability in the population. The conclusion reached was that the population should be allowed to fluctuate between 110-130 individuals. The methodology of conducting removal and contraception toward this goal was also discussed and agreed upon. The range of 110 to 130 horses is based on sound science and provides the population changes, which are necessary for maintaining the genetic viability of the herd.

Based upon the October roundtable discussion, we recommend an amendment to the bill that is attached to this testimony. We believe that this amendment will more clearly reflect the need to allow the population bloom necessary for maintaining the genetic viability of the herd.

Mr. Chairman, that concludes my statement. I would be pleased to answer any questions you or other members of the subcommittee may have.

Suggested Amendment, H.R. 126:

On page 2, line 9-10, delete “with a target population of between 120 and 130” and insert, “allowing periodic population expansion of the herd to a maximum of 130 horses”.

ON S. 242

Mr. Chairman and members of the subcommittee, thank you for the opportunity to appear before you today to present the Department of the Interior’s views on S. 242, a bill to establish 4 memorials to the space shuttle *Columbia* in the State of Texas.

The Department does not support S. 242, unless amended to authorize a study to determine the most appropriate and effective way to establish a memorial to honor the brave men and women on the crew of the *Columbia*. We believe it is critical that National Aeronautics and Space Administration (NASA), the crew’s family members, and others intimately involved in the shuttle mission, disaster, and recovery be part of a process to determine what is most appropriate. A study would provide this opportunity by including consultation with other agencies and organizations, including NASA, to determine what other commemorative efforts have been undertaken to memorialize the space shuttle *Columbia* as well as taking into account the wishes and desires of the crew’s families regarding how they might like their loved ones remembered. A study also would look at a variety of alternatives that could include National Park Service (NPS) management or could focus on administering the site through State or local governments or private organizations.

Because a study can provide these important benefits, a suitability and feasibility study typically is conducted prior to designation of a new unit of the National Park System. Indeed, Congress established in the National Parks Omnibus Management Act of 1998 (P.L. 105-391) a process for authorizing studies before the designation of new units. Studies of this type typically take approximately three years to complete after funds are made available. We currently have 30 other similar studies in progress, and we hope to complete and transmit 15 to Congress by the end of calendar year 2005. We believe that available funding should be first directed toward completing previously authorized studies.

S. 242 would establish units of the National Park System without a study first determining whether the proposed units would be suitable and feasible additions to the National Park System or whether management by the NPS would be the most effective and efficient form of commemoration. S. 242 would establish four units of the National Park System in the Texas cities of Nacogdoches, Hemphill, Lufkin and San Augustine. Large amounts of debris from the *Columbia* were found on each of the four parcels specified in the bill, a combination of public and private land, and the Lufkin civic center served as NASA’s command center for retrieval efforts. The legislation specifies that the memorials would be administered by the Secretary of the Interior (Secretary) and authorizes the Secretary to recommend additional sites in Texas for establishment of memorials to *Columbia*.

Columbia, the first space shuttle to orbit the earth, was NASA’s oldest shuttle. On the morning of February 1, 2003, after a three-week mission devoted to scientific and medical experiments, the *Columbia* began its return to earth. As re-entry into the earth’s atmosphere continued over the Pacific, problems were noticed by NASA, contact with the shuttle was lost, and it began to break apart. Debris from the shuttle was observed from California to Louisiana, however the remains of the seven astronauts and the most significant parts of the shuttle were found in several communities across Texas. Soon after the crash, an independent accident investigation board was established and the first volume of the board’s findings was issued in August 2003, identifying the factors that led to the shuttle disaster and making recommendations for future actions.

Many memorials and remembrances have been established in honor of *Columbia*’s crew, including a memorial at Arlington Cemetery and on Devon Island in the Canadian High Arctic. Asteroids have been named for members of the crew, as has a highway in Washington and an elementary school in California. A memorial is planned at the U.S. Naval Academy for Commander William McCool on the cross-country course where he raced as a midshipman. On May 12, 2004, NASA dedicated its new “Altix” supercomputer to the memory of Kalpana “KC” Chawla, flight engineer and mission specialist on the *Columbia*.

If the Committee recommends immediate establishment of these new units of the National Park System, we suggest that the bill be clarified in several areas. The legislation is unclear whether the intent of the bill is to authorize the Secretary to manage a process that would produce a commemorative work—such as a plaque, statue, or other art that would be located on the properties identified in the legisla-

tion, or if the bill is authorizing the purchase of these properties to be developed as units of the National Park System that would then require on-site management, development, and funding. The costs for establishing and managing these four areas as units of the National Park System would be difficult to determine at this time, but they could be expensive given the dispersed sites. These costs could best be estimated through the completion of a study.

Also, the bill does not clearly state a purpose for the memorials. In her floor speech introducing the legislation, Senator Hutchison spoke about memorializing the spirit and adventure of the space program and the men and women who accept the dangers and challenges of accomplishing NASA's mission. She also recognized the impact and efforts of four Texas communities and citizens that provided support and assisted with the collection and identification of debris and the remains of the crew. A clear and concise purpose would help guide the efforts to meet the legislation's intent.

NASA and other communities and organizations have already established a variety of memorials that recognize the tragedy as well as the enduring spirit of the crew and others associated with the final voyage of the *Columbia*. An NPS suitability and feasibility study would determine how, or if, this proposal would complement or add to those already established memorials.

Mr. Chairman, that concludes my remarks and I would be happy to respond to any questions that you or other members of the subcommittee may have.

ON S. 262

Mr. Chairman, thank you for the opportunity to appear before your committee to present the views of the Department of the Interior on S. 262, to authorize appropriations to the Secretary of the Interior for the restoration of the Angel Island Immigration Station in the State of California. This legislation would authorize appropriations of \$15 million for restoration of the Angel Island Immigration Station Hospital and for other station facilities if excess funds remained.

The Department commends the work that is being done to restore the Angel Island Immigration Station at Angel Island State Park and to make it more accessible to visitors. In fact, the National Park Service has been an active partner in that effort. However, we oppose this legislation. We believe it is inappropriate to use limited National Park Service appropriations to pay for restoration projects for non-National Park Service structures. We encourage the State of California, California State Parks, and the Angel Island Immigration Station Foundation to continue seeking other sources of funding for this very worthy project.

For many years, the Department has opposed legislation authorizing appropriations for non-National Park Service construction projects. Many of these projects, like the restoration of the Angel Island Immigration Station, represent an important contribution to the preservation of our Nation's history. However, each time such legislation is enacted and appropriations follow, it further reduces a limited amount of discretionary funds available to address the priority needs of our national parks and other programs administered by the National Park Service. With the emphasis we have placed on the President's initiative to reduce the deferred maintenance backlog, it has become more important than ever to avoid authorizing funding for non-National Park Service projects that would likely draw funds from the National Park Service's budget.

Angel Island is located in San Francisco Bay, not far from Alcatraz Island. The Federal government built the Angel Island Immigration Station in Winslow Cove and operated it between 1910 and 1940 to enforce the Chinese Exclusion Act. Over one million new arrivals to the United States, including Russians, Chinese, Japanese, Hispanics, and others, were processed through the immigration station, although some never set foot on the island.

The most poignant history associated with Angel Island is that of detained Chinese immigrants. Angel Island is often referred to as the "Ellis Island of the West," although unlike Ellis Island, where immigrants typically spent one day, many of the Chinese immigrants were detained for weeks, months or even years. The Chinese Exclusion Act, in effect from 1882 until 1943, required Chinese immigrants to go to extra lengths to prove that they met the necessary requirements to be allowed to stay. Over 100 poems carved by detainees on walls of the Detention Barracks, expressing the fear, hopes, and despair of those with uncertain futures, provide a first-hand historical commentary on the plight of these immigrants.

The immigration station was closed in 1940 after a fire destroyed the Administration Building and American policy shifted in support of China in World War II. The U.S. Army used the buildings during World War II for internment of prisoners. The Army later vacated the site, and it fell into disrepair. Angel Island, which also had

other military installations, was declared surplus to Federal needs and transferred to the State of California for park purposes in 1963. Today, on the 13-acre site, only the Detention Barracks, Hospital, Power House, Pump House and Mule Barn remain intact, and only the Detention Barracks is open to visitors. Angel Island State Park is reached by ferry and used for sightseeing, hiking, picnicking, educational trips, and limited camping.

The Secretary of the Interior designated the Angel Island Immigration Station as a National Historic Landmark in 1997. In late 1998, Congress appropriated \$100,000 for the National Park Service to evaluate the feasibility and desirability of preserving and interpreting sites within Golden Gate National Recreation Area, including Angel Island Immigration Station, that are related to immigration; we are continuing to work to complete this study. A few months later, the National Park Service, California State Parks, and the Angel Island Immigration Station Foundation formed a partnership consortium to undertake two major projects: (1) develop a restoration and interpretation strategy for restoration work at the Angel Island Immigration Station, and (2) explore the feasibility of developing a Pacific Coast Immigration Museum to provide interpretation and education related to immigration and migration to the West Coast. The consortium's efforts led to securing \$15 million in state funds and \$1 million in grants and donations for restoration work on the immigration station.

The National Park Service has also contributed technical assistance and managed contracts for reports that were completed in 2002—a Historic Structures Report, Building Condition Assessments, a Poem Preservation Study, and Cultural Landscape Report for the immigration station. These reports were intended to serve as baseline studies to guide preservation and use decisions. In addition, in 2000, the Angel Island Immigration Station received a \$500,000 grant for conservation work through the National Park Service's Save America's Treasures program.

As a follow through on the consortium's agenda, the National Park Service has also been the conduit for appropriations from Congress of \$280,000 in FY 2002 and \$385,000 in FY 2004 for in-depth feasibility studies for the Pacific Coast Immigration Museum.

As the activities listed above show, the National Park Service is playing an active role in promoting the commemoration of immigration history on the West Coast, which is unquestionably a nationally significant story, by working in partnership with the State of California and the Angel Island Immigration Station Foundation. We are proud of the work the Service is doing toward planning and promoting the restoration of the immigration station and the Pacific Coast Immigration Museum, as these two entities will make an important contribution to the understanding of immigration history in this part of the country—and they will be significant additions to the historical attractions within Golden Gate National Recreation Area. However, we do not believe it is appropriate for the National Park Service budget to be used as a major funding source for the restoration of the Angel Island Immigration Station, a state property.

Mr. Chairman, that completes my statement. I would be happy to answer any questions you or the other members of the committee may have.

ON S. 336

Mr. Chairman, thank you for the opportunity to appear before you today to present the views of the Department of the Interior on S. 336, a bill to amend the National Trails System Act to direct the Secretary to study the feasibility of designating the Captain John Smith Chesapeake National Historic Watertrail as a National Historic Trail. The Department supports S. 336.

While the Department supports the authorization of this study, we also believe that any funding requested should be directed toward completing previously authorized studies. Currently, 30 studies are in progress, and we hope to complete and transmit 15 to Congress by the end of 2005.

As we approach the 400th anniversary of the Jamestown Settlement and the anniversary in 2007 of the beginning of Captain John Smith's explorations, the examination of this study is most timely. The proposed trail would follow a series of routes extending approximately 3,000 miles along the Chesapeake Bay and the tributaries of the Chesapeake Bay in the States of Virginia, Maryland, Pennsylvania, and Delaware and the District of Columbia that trace Captain John Smith's voyages charting the land and waterways of the Chesapeake Bay and its tributaries.

S. 336 would require the study to be conducted in consultation with Federal, State, regional, and local agencies and representatives of the private sector, including entities responsible for administering the Chesapeake Bay Gateways Network,

coordinated by the National Park Service, and the Chesapeake Bay Program, coordinated by the Environmental Protection Agency.

Captain John Smith explored the Chesapeake Bay and its tributaries in a series of voyages and travels from 1607 through 1609, while executing his company's directives to search for a "northwest passage" to the Pacific Ocean. Smith's two major voyages occurred in the summer of 1608, each leaving from Jamestown, Virginia. Between the two voyages, Smith and a small crew traversed the entire length of the Chesapeake Bay, explored the shoreline of the lower half of the Eastern Shore, and ventured into the major tributaries along the western shore of the Bay. Smith had extensive interactions with Native Americans and recorded significant information about these peoples and the general Chesapeake environment in his book published in 1612. He also made one of the first, and most detailed maps of the Chesapeake Bay.

Four hundred years later, the Chesapeake Bay's basic geography remains relatively similar to Smith's time, but much else has changed. More than 16 million people live in the Chesapeake Bay watershed, with the densest concentrations at locations adjacent to where Smith traveled (Washington, DC, Baltimore, MD and the greater Norfolk/Hampton Roads area in VA). Human uses of the Bay region have caused significant impacts on the Chesapeake environment and the Bay itself.

Today, the Chesapeake Bay is the focus of a conservation and restoration effort led by the Chesapeake Bay Program, authorized under the Federal Water Pollution Control Act. The Chesapeake Bay Program, a partnership effort of the states of Maryland, Pennsylvania and Virginia, the District of Columbia, the Chesapeake Bay Commission, and the Federal government (represented by the Environmental Protection Agency) coordinates a multi-faceted effort to improve Chesapeake water quality and restore habitat for aquatic species.

As one part of the effort to restore the Chesapeake Bay, the National Park Service coordinates the Chesapeake Bay Gateways Network, authorized by the Chesapeake Bay Initiative Act of 1998. This partnership system of 147 designated Chesapeake Bay Gateways serves to connect the American public with the resources and themes of the nationally significant Chesapeake Bay. These designated Gateways include more than 20 water trails spanning more than 1,500 miles of Bay shoreline and tributaries, including a number of the same routes traveled by Captain John Smith. Through its coordination of the Chesapeake Bay Gateways Network, the National Park Service is also authorized to provide technical and financial assistance to Gateways for enhancing interpretation, improving public access, and stimulating citizen involvement in conservation and restoration efforts.

Through the Department's existing authority under the Chesapeake Bay Gateways Network, we could establish a Captain John Smith Chesapeake Water Trail that would follow the routes of Captain Smith's travels and would be an effective means of further engaging the American public with the vital role of Smith and the overwhelming importance of the Chesapeake Bay. Currently, there are 22 water trails across four states included within the Chesapeake Bay Gateways Network. However, to be designated as a national historic trail under the National Trails Act, an amendment to the Act would be required. Congress normally only considers such a designation after the completion of a study of the proposed trail, which S. 336 would authorize. The study would allow a complete examination of the proposed trail to determine if it meets the criteria for designation as part of the National Trails System. The study is estimated to cost approximately \$250,000.

This concludes my prepared testimony, Mr. Chairman. I would be pleased to answer any questions you or the committee might have.

ON S. 670

Mr. Chairman, thank you for the opportunity to present the views of the Department of the Interior on S. 670, a bill to authorize the Secretary of the Interior to conduct a special resource study of sites associated with the life of Cesar Estrada Chavez and the farm labor movement.

The Department supports S. 670. We believe that this study will provide a good opportunity to work with the Cesar E. Chavez Foundation and others to identify valuable resources associated with the story of Chavez's life and the movement he led and ways to protect those resources.

While the Department supports the authorization of this study, we also believe that any funding requested should be directed toward completing previously authorized studies. Currently, 30 studies are in progress, and we hope to complete and transmit 15 to Congress by the end of 2005.

Ask historians to name one person who had the greatest impact on farm labor, and the name of Cesar Estrada Chavez leaps to mind. Between the 1950's and the

1980's Chavez cultivated a life-long commitment to bringing respect, dignity, and democracy to the nation's farm workers, many of whom were Hispanic. After an initial career as a community organizer, Chavez focused his organizing skills on the farm workers, inspiring them to look their employers in the eyes, stand up for their rights and take active roles in creating their union and wielding its power. As a result of his efforts, he continues to serve as a symbol not only for Hispanic-Americans, but for all Americans, of what can be accomplished in this country through unified, courageous, and nonviolent action.

Chavez's death on April 22, 1993, brought a resurgence of interest in his life and work and a new wave of assessments recognizing his national and, indeed, international significance. He has taken his place among other national labor leaders in the Department of Labor's Hall of Fame and been recognized by an ever-increasing number of states and communities with special holidays, events, and place names. Because of the tremendous impact he had, we believe it is appropriate to study sites associated with Cesar Chavez and the farm labor movement he led in order to consider ways to preserve and interpret this story of enormous social change.

The National Park Service and the Cesar E. Chavez Foundation first discussed the possibility of conducting a national historic landmark study of sites related to the work of Chavez and the farm workers' movement several years ago, as a way of identifying sites important to the history of the man as well as the migrant worker. The Foundation represents and fosters the ongoing legacy of Chavez and has a strong interest in seeing that heritage preserved. In 2002, the National Park Service collaborated with the Foundation and scholars at universities in Washington State and California in preparing a preliminary assessment and scope for future research on sites associated with Chavez and the farm workers' movement. The information gathered through that assessment would give the National Park Service a head start on the study authorized by S. 670.

S. 670 would authorize a study of sites in Arizona, California, and other States that are significant to the life of Cesar Chavez and the farm labor movement in the western United States to determine appropriate methods for preserving and interpreting sites. Through this study, the National Park Service could examine whether certain sites are suitable and feasible for addition to the National Park System. The study would be conducted in accordance with the criteria for new area studies contained in Title III of the National Parks Omnibus Management Act of 1998.

The study also would consider whether any sites meet the criteria for listing on the National Register of Historic Places or for designation as a National Historic Landmark. This would enable the National Park Service to complete the work that was begun with the preliminary assessment described earlier. The legislation specifically requires that the National Park Service consult with the Cesar Chavez Foundation, the United Farm Workers Union, and other entities involved in historic preservation on this study. The study is estimated to cost approximately \$250,000.

Mr. Chairman, that concludes my testimony. I would be pleased to answer any question you or the other members of the subcommittee may have.

ON S. 777

Mr. Chairman, thank you for the opportunity to present the views of the Department of the Interior on S. 777, a bill to designate Catoctin Mountain Park in the State of Maryland as the "Catoctin Mountain National Recreation Area."

The Department supports S. 777 with two technical corrections added at the end of the testimony. This legislation would provide a name for Catoctin Mountain Park that is appropriate for the purpose and use of this unit of the National Park System, and it also would update the authorities for administering this park.

Catoctin Mountain Park had its origins as one of 46 Great Depression-era Recreational Demonstration Areas established by the Resettlement Administration, which was authorized under the National Industrial Recovery Act (1933) and Executive Orders of President Franklin D. Roosevelt. The Resettlement Administration acquired and developed Recreational Demonstration Areas across the nation to provide accessible, low-cost, quality outdoor recreation opportunities. They were used for day trips, picnicking, and overnight camping by families, social groups, and public organizations.

Catoctin Recreational Demonstration Area, which comprised approximately 20,000 acres, was acquired after the area had sustained years of charcoal production, mountain farming, and harvesting of trees for timber. The Works Progress Administration and the Civilian Conservation Corps administered projects at Catoctin both to put people back to work and to establish an outdoor recreation area for the urban dwellers of nearby Washington, D.C. and Baltimore, Maryland. Jurisdiction over the

Catoctin Recreational Demonstration Area was transferred to the National Park Service in 1935 by Executive Order.

In 1942, one of the cabin camps built at Catoctin, Camp Hi-Catoctin, was selected by President Roosevelt as the Presidential Retreat we know today as Camp David. Catoctin's distinctive history also includes serving as an O.S.S. training camp during World War II, and having the first Job Corps camp in the United States and the nation's oldest camp for the disabled.

In 1954, approximately 4,400 acres of the area was transferred to the State of Maryland and became Cunningham Falls State Park. That same year, the Director of the National Park Service approved the renaming of Catoctin Recreational Demonstration Area as "Catoctin Mountain Park" and Congress provided authority to exchange lands to consolidate holdings in the park. Catoctin Mountain Park is currently 5,810 acres in size and has an average annual visitation of 700,000. The park, consisting largely of eastern hardwood forest, has many attractions for visitors: camping, picnicking, fishing, 25 miles of hiking trails and scenic mountain vistas.

The proximity of Catoctin Mountain Park, Camp David, and Cunningham Falls State Park has caused longstanding confusion for visitors to the area. Catoctin Mountain Park is continually misunderstood as being closed to the public because of the presence of Camp David. Renaming the park as a "national recreation area" would offer an opportunity to reintroduce the park as an area that is open to public recreation. The public also has difficulty understanding why there is a difference between the activities permitted at Catoctin Mountain Park and those permitted at Cunningham Falls State Park. Including the word "national" in the name of Catoctin Mountain Park would facilitate efforts to educate the public about these differences and to emphasize the value the National Park Service places on protecting cultural and natural resources for future generations.

In addition, the name "national recreation area" would also help distinguish Catoctin Mountain Park from other local attractions, such as the privately-owned Catoctin Wildlife Preserve and Zoo, which are often confused with the park. And, the name change would enhance the efforts of the Maryland Office of Tourism Development and local tourism officials to promote the presence of the five National Park System units located in Frederick County, one of which is Catoctin Mountain Park.

In addition to changing the name of the Catoctin Mountain Park, S. 777 would provide the usual authorities that are included when a new unit of the National Park System is established. These provisions will make it easier for the National Park Service to administer the unit than continuing to rely on the piecemeal authorities that were granted since the 1930's. The authorities provided by S. 777 include providing for administration of the unit in accordance with laws governing the National Park System, and authorizing appropriations for the park. It would also formally establish a boundary, which is essentially the exiting ownership of the National Park Service, and permit land acquisition that would allow for minor boundary adjustments although none is contemplated at this time. These provisions will ensure that the park is able to continue to appropriately administer the park's significant historic resources and important natural areas. The costs associated with this legislation would be negligible.

We are currently reviewing previous authorities for Catoctin Mountain Park to determine whether any of them should be repealed in conjunction with providing the new authority for the park under S. 777. We will advise the subcommittee of our findings as soon as possible.

Mr. Chairman, this concludes my remarks. I will be happy to answer any questions you or the other committee members have.

Proposed amendments to S. 777:

On page 2, line 6, strike "in 1952, approximately 5,000" and insert "in 1954, approximately 4,400".

On page 3, lines 10 and 11, strike "'Catoctin Mountain National Recreation Area,' numbered 841/80444, and dated August 14, 2002." and insert "'Catoctin Mountain National Recreation Area,' numbered 841/80444B, and dated April 2005."

Senator THOMAS. Thank you very much.

On this last one, Catoctin, now Camp David is there. I presume that is clearly a Federal responsibility.

Mr. SOUKUP. Yes.

Senator THOMAS. How about the rest of that park? Is it a Federal park? Is it a State park? What is its designation now?

Mr. SOUKUP. It is a Federal park now. It is operated as a Federal park now. It does not have an official boundary. It does not have a lot of the attributes that national park legislation usually gives it. So it needs this legislation to both define it as an administrative unit with the appropriate administrative rules, but also to designate the name so that it can be distinguishable.

Senator THOMAS. But it is Federal property now.

Mr. SOUKUP. Yes.

Senator THOMAS. It is not managed as a park. Is that right?

Mr. SOUKUP. It is managed as a park, but it is managed as a park with really the uses and the activities that are normally associated with a recreation area type of unit within the National Park. The name does not really denote that.

Senator THOMAS. Why couldn't the park manage it differently if it is already a park?

Mr. SOUKUP. Well, it is. It is managing it the way it would manage it under the new name change.

Senator THOMAS. So really basically all you are doing is changing the name?

Mr. SOUKUP. Right. We are not changing the uses or the activities or the authorities or the way that we would administer land or anything. It is already Federal land. It is really a name change.

Senator THOMAS. On this S. 670, conduct a resource study. What would they be if you find that they are significant?

Mr. SOUKUP. Well, that is what a study would determine. There are a number of sites that are important to the farm workers movement and to the life of Chavez. A study would look at the alternatives. First, it would determine what are the important resources out there and look at the alternatives for developing something that would really reflect the life of Chavez and the farm workers movement and then assess the alternatives. Who should manage it? What sites would be appropriate? What would be the optimal approach to—

Senator THOMAS. Do you see it as museums or historic collections? You are not going to say here is a field where Chavez worked or something like that, are you?

Mr. SOUKUP. It could be any number of combinations. It could be sites where protests were made. It could be sites that are important gatherings, that kind of thing.

Senator THOMAS. But it is a study to determine.

Mr. SOUKUP. It is simply a study that looks into the whole range of possibilities, and I am sure there are quite a range of possibilities.

Senator THOMAS. I understand.

S. 336 would name it a watertrail. We do not have any watertrails now?

Mr. SOUKUP. Actually we do. We have a number of watertrails. I think I have a list of them here somewhere.

Senator THOMAS. Well, that is all right. I just did not know whether this was a brand new designation or whether we already had—

Mr. SOUKUP. There are a number of trails within the National Trail System that have watertrails as part of that. So there are some.

Senator THOMAS. And they are named watertrails?

Mr. SOUKUP. Yes.

Senator THOMAS. Okay.

Mr. SOUKUP. There is one in Virgin Islands National Park that has a watertrail that we manage. Some wild and scenic rivers, parts of the National Park System contain miles of watertrails. We administer two trails that traverse both water and land. The Lewis and Clark National Historic Trail has sections of watertrails in it. The Trail of Tears National Historic Trail would be another.

Senator THOMAS. All right. Thank you. I did not know if that was a new idea.

In this S. 262, the Angel Island Immigration Station, there is no national involvement there now at all.

Mr. SOUKUP. Well, there has been a fair amount of national involvement from the Park Service and other players. We have been really in the role of technical assistance. We have also provided some grants and some restoration project money, but those have been more in the lines of technical assistance.

Senator THOMAS. If this passed, would it change the designation, or is it simply a money thing?

Mr. SOUKUP. I understand it is largely a pass-through of money. It does not change the designation or the ownership.

Senator THOMAS. Thank you.

And the horse adjustment is because the numbers are in the current legislation.

Mr. SOUKUP. The current legislation has numbers which are not quite in sync with what the geneticists are telling us.

Senator THOMAS. So basically what it does is it raises the allowable number of horses.

Mr. SOUKUP. Right. It corrects the number to allow for population blooms up to 130 horses as a max, and that has an advantage for genetic viability over the long term.

Senator THOMAS. Let us see. I was going to ask you something on this Chesapeake Bay. Then what you would basically be doing is amending the existing Trails Act to include this facility.

Mr. SOUKUP. Yes. It would be an amendment that would make this an official national trail.

Senator THOMAS. All right. Thank you very much, sir. I appreciate it. We will look forward to your studies and so on.

Let us see now. Felicia Lowe, vice president, Angel Island Immigration Station Board, please, and Patrick Noonan, chairman emeritus, The Conservation Fund, Arlington, Virginia.

Senator Feinstein asked me to say that she welcomes Felicia Lowe from San Francisco and greatly regrets that she cannot make the meeting. She also asks that her statement be inserted into the record. So her statement will be inserted, and on behalf of her, you are welcomed.

[The prepared statement of Senator Feinstein follows:]

PREPARED STATEMENT OF HON. DIANNE FEINSTEIN, U.S. SENATOR
FROM CALIFORNIA, ON S. 262

I would like to welcome a witness from my hometown of San Francisco, Felicia Lowe, the Vice President of the Board of the Angel Island Immigration Station Foundation. Felicia, I am proud to sponsor this legislation that you are supporting today to restore the Angel Island Immigration Station.

It is hard to think of a more American story than that of hard-working immigrants, risking travel to a foreign land to make a better life for their families.

The federal government has dedicated its resources to commemorate the eastern gateway for this county, Ellis Island.

It is time to make an equal commitment to our Western port of entry, Angel Island. Mr. Chairman, I understand that the old hospital structure that this bill would protect is on the verge of literally falling down. In 2000, the Immigration Station was placed on "America's 11 Most Endangered Historic Places" list.

The State of California and the local community have banded together to save this site. We as the federal government should help.

I look forward to the day when the descendants of the one million immigrants who came through Angel Island, including approximately 175,000 Chinese-Americans, can revisit the spot where their ancestors made such great sacrifices for them.

There are few more intimate and personal reminders of our history as immigrants than the poems carved on the walls of the Detention Barracks by those who awaited word on whether they would be admitted into this country.

Mr. Chairman, it's an accident of circumstance that we don't have many monuments to early generations of Chinese-Americans. I can't think of a better place to start to remedy this situation than Angel Island. I hope you will support this bill.

Thank you.

STATEMENT OF FELICIA LOWE, VICE PRESIDENT OF THE BOARD, ANGEL ISLAND IMMIGRATION STATION FOUNDATION, SAN FRANCISCO, CA

Ms. LOWE. Thank you very much, Chairman Thomas, Senator Akaka, and members of the Subcommittee on National Parks for this opportunity to speak to you about S. 262, the Angel Island Immigration Station Restoration and Preservation Act.

On behalf of the Angel Island Immigration Station Foundation, I did want to thank Senator Feinstein for her leadership and for introducing this legislation and again for Senator Akaka's continuing support for our project.

I am Felicia Lowe. I am vice president of the board of the Angel Island Immigration Station Foundation. I am a producer of a documentary called Carved in Silence and I am a descendent of immigrants detained at Angel Island. Both my grandfather and my father were held there. This I learned after their deaths because the ordeal was never discussed.

The foundation is the nonprofit partner of the California State Parks and the National Park Service. We have been actively working together toward the goal of preserving and restoring the National Historic Landmark since 1997.

Angel Island Immigration Station is the Ellis Island of the West, with a twist. It was built to enforce the Chinese Exclusion Act, a series of Federal legislation designed to bar Chinese laborers from entering the United States from 1882 until 1943. And it also prevented Chinese from becoming naturalized citizens. It was the first and only time in the history of America that Congress passed legislation that restricted immigrants solely on the basis of race.

Just as my father kept his Angel Island experience from me, few Americans have even heard of the immigration station located in the middle of San Francisco Bay and in the footprint of the Golden Gate National Recreation Area. Its role in immigration history is virtually unknown, a dramatic contrast to the stories of Ellis Island.

The immigration at Angel Island served as the guardian of the western gate, enforcing these racially restrictive Federal immigration laws, detaining immigrants for weeks, months, and even years

to ensure that they fit a narrow definition of the exempt class. My father was held there for 3 weeks.

In operation from 1910 to 1940, a million immigrants from around the world had their papers processed through this station. They included Japanese, Punjabi, Filipino, and Russian immigrants.

However, Angel Island's greatest significance is tied to the story of the estimated 175,000 Chinese immigrants who risked everything to come to Gold Mountain. Anguish and uncertainty led some of them to write or carve poetry on the walls of the detention barracks. Today more than 100 of these poems are still visible at the island, capturing the voices of the immigrants in that time and place and serving as a physical and emotional testament that resonates with all Americans who share a history of immigration.

It has been 50 years since the last active use of the immigration station. Of the original structures, only the detention barracks, hospital, power house, pump house, and mule barn remain.

A master plan for the site has now been completed, calling for five phases of site restoration. The first phase of the master plan to rehabilitate the detention barracks and its rare poems is being funded by nearly \$18.5 million in State money, plus the \$500,000 Save America's Treasures grant awarded by the Department of the Interior. This represents roughly a third of the entire cost of the core project, which is expected to be \$50 million.

Further, we have engaged Signature Philanthropy, the principal fund raisers for Ellis Island, to assist us in a national campaign to raise \$15 million in private funds. That would take us two-thirds of the way to this dream.

Your support of S. 262 allows up to \$15 million toward the preservation and restoration of the hospital building, the second most important structure on the site. As you can see in the blow-up, it is deteriorating rapidly. Imagine instead a world-class immigration museum, an education and family genealogical research center, digital access to National Archive records, in short a true bookend to Ellis Island.

While Angel Island Immigration Station represents a difficult chapter in our national history, it is ultimately a story of the triumph and the perseverance of immigrants who endured and established new lives in this country. Angel Island Immigration Station is of national significance, and at the time of its operation, it was a Federal agency enforcing Federal laws. Only through our collective efforts will we make this a reality.

Thank you to the members of the subcommittee for holding this hearing today. We hope that you will support our efforts to restore and preserve Angel Island Immigration Station by passing S. 262. In doing so, generations can come to appreciate this very unique site.

I thank you for the opportunity to testify today and I welcome any questions you might have at this time.

[The prepared statement of Ms. Lowe follows:]

PREPARED STATEMENT OF FELICIA LOWE, VICE PRESIDENT OF THE BOARD, ANGEL ISLAND IMMIGRATION STATION FOUNDATION, SAN FRANCISCO, CA, ON S. 262

INTRODUCTION

Thank you, Chairman Thomas, Senator Akaka and members of the Subcommittee on National Parks, for this opportunity to speak to you in support of S. 262, The Angel Island Immigration Station Restoration and Preservation Act.

I am Felicia Lowe, Vice-President of the Board of the Angel Island Immigration Station Foundation (AIISF) and a descendent of immigrants detained at Angel Island. AIISF is the non-profit partner of California State Parks and the National Park Service working together to preserve this historic U.S. Immigration Station in San Francisco Bay.

On behalf of the Angel Island Immigration Station Foundation and Americans descended from Angel Island immigrants like myself, I thank you for holding a hearing on this important legislation. We also wish to thank Senator Feinstein for her leadership in introducing this legislation and Senators Akaka, Inouye and Boxer for co-sponsoring this legislation.

In the House, our heartfelt thanks go to Representatives Woolsey and Souder for their leadership. During the 108th Congress, the U.S. House of Representatives held two hearings on the Immigration Station and passed their authorization legislation unanimously with bipartisan support.

S. 262, the Angel Island Immigration Station Restoration and Preservation Act authorizes up to \$15 million in federal funds to save the “Ellis Island of the West.” The legislation also limits federal funding to 50 percent of the total funds from all sources spent to restore the Immigration Station. We urge you to approve this legislation to be enacted into law this Congress.

Our nation offers a history of great diversity, one that matches the wealth of experiences in our rich heritage. So many of these stories, however, have gone untold. Angel Island Immigration Station is one example of a hidden history now coming to light and enriching the understanding of our nation in both historic and contemporary times.

The immigration experience is a common thread binding the histories of most Americans. Whether escaping persecution, poverty, or lack of economic prospects, immigrants have come to this nation for the ideals it represents—freedom, democracy, and opportunity.

Angel Island is the “Ellis Island of the West”. with a twist. Most Americans know the story of Ellis Island, which processed millions of immigrants crossing the Atlantic, but the story of Angel Island remains virtually unknown. It too, was a federally owned site enforcing federal legislation. Located in the middle of San Francisco Bay, within the footprint of the Golden Gate National Recreation Area (GGNRA), Angel Island Immigration Station was routinely the first stop for most immigrants crossing the Pacific Ocean. Between 1910 and 1940, a million immigrants from around the world came through this station; they included Japanese, Punjabi, Korean, Filipino, and Russian immigrants.

Angel Island’s greatest significance is tied to the story of the estimated 175,000 Chinese immigrants who risked everything to travel to “gam san,” or “Gold Mountain” during a period in which the Chinese Exclusion Acts were enforced. It was the first and only time in American history that a specific ethnic group was barred entry solely on the basis of race. Processing new immigrants at Ellis Island took 5 to 6 hours. At Angel Island, Chinese immigrants were detained for two to three weeks, and often several months. A few were even forced to remain on the island for nearly two years.

With such long stays, some wrote or carved poetry on the walls of the detention barracks. Today, more than 100 of these poems are still visible at Angel Island Immigration Station, capturing the voices of the immigrants in that time and place, and serving as a physical and emotional testament that resonates with all Americans who share a history of immigration.

CURRENT STATUS OF THE IMMIGRATION STATION

Angel Island Immigration Station closed in 1940, after a fire destroyed the Administration Building. The remaining detainees were moved to San Francisco. The Chinese Exclusion Act was repealed in 1943, when China became America’s ally in World War II. The Immigration Station site and buildings were transferred to the U.S. Army, which quickly adapted the site to temporarily detain prisoners of war and to house enlisted soldiers. The Army built mess halls, additional barracks and guard towers on the site.

When the Army vacated Angel Island, the structures fell into disrepair. Of the original Immigration Station structures, only the Detention Barracks, Hospital, Power House, Pump House and Mule Barn remain.

Angel Island Immigration Station is a part of Angel Island State Park, owned and operated by the California State Parks system which took over operations from the National Parks Service in 1963. From the inception of the restoration and preservation planning, the National Park Service has participated as a full partner. In the early 1980's, limited restoration efforts by community members allowed the first floor of the Detention Barracks to be opened to the public and some of the poetry to be viewed. The site is a popular destination for school field trips, with more than 30,000 students and their teachers visiting it each year.

PRESERVING THE LEGACY

It has been 50 years since the last active use of Angel Island Immigration Station. The buildings and the poems that were carved on the walls of the detention barracks have been battered by time and the elements. To protect these historical treasures, the Angel Island Immigration Station Foundation (AIISF) has worked tirelessly to raise awareness and dollars to preserve the site and its history. Our goal, in partnership with California State Parks and the National Park Service is the creation of a world-class visitor and genealogical research center to ensure that the story of Pacific coast immigration can be told for generations to come, a bookend to Ellis Island. AIISF's achievements include:

- Designation of the site as a National Historic Landmark in 1997.
- In 1998, Senator Daniel Akaka proposed and Congress approved \$100,000 to conduct a study to determine the feasibility and desirability of preserving and interpreting sites within the Golden Gate National Recreational Area (GGNRA) that relate to immigration and the peopling of the nation, which included Angel Island Immigration Station.
- In 1999, designated as one of "America's 11 Most Endangered Historic Places".
- In 1999, placement of a \$400,000 earmark in the state budget.
- In 2000, passage of a \$15 million bond approved by California voters for the restoration.
- In 2000, U.S. Department of Interior, National Park Service awarded a "Save America's Treasures" grant of \$500,000.
- In 2004, United States House of Representatives pass of H.R. 4469, the Angel Island Immigration Restoration and Preservation Act.
- In 2005, the California Cultural and Historical Endowment awarded \$3 million for preservation and restoration efforts.
- In 2005, AIISF is launching a national capital campaign aimed at individual, corporate, private foundation giving to supplement governmental funds towards the preservation of the Immigration Station. The expertise of Signature Philanthropy which raised funds for the restoration of Ellis Island and the Statue of Liberty has been retained for this effort.

Over the past few years, AIISF and its preservation partners, the California State Parks and the National Park Service, have conducted approximately \$500,000 worth of historic preservation studies with funds raised from private, state and federal sources. A master plan for the site has now been completed, calling for five phases of restoration for the historic Immigration Station. The first phase of the master plan is being funded by \$15 million in state bond funds and a \$500,000 Save America's Treasures grant. The core project is expected to cost \$50 million.

FEDERAL ROLE

Like Ellis Island, Angel Island's history and legacy is important to all Americans, not just Californians. Nearly \$18.5 million of scarce state funds have been raised to date to support the preservation project. The addition of federal dollars serves to endorse the national importance of Angel Island Immigration Station's history, one which differs significantly from Ellis Island, yet offers equally important and inspiring lessons. Angel Island is more than a set of buildings, the "walls talk" at this site which was built to enforce federal laws and was operated by a federal agency throughout its period of significance.

We strongly believe this National Historic Landmark which resides within the footprint of the Golden Gate National Recreational Area (GGNRA) elevates it to a level deserving of federal appropriations dollars. In order to be eligible, we need your support of S. 262 which allows up to \$15 million towards the preservation and restoration of Angel Island Immigration Station—the Ellis Island of the West.

Just as Ellis Island immigrants arriving from across the Atlantic Ocean profoundly changed our country, so too did Angel Island immigrants who crossed the Pacific. Angel Island immigrants played a vital role in the development of the American West, and the peopling and prosperity of our nation. Chinese immigrants were pioneers in the agricultural and fishing industries of the West. They reclaimed the Sacramento and San Joaquin deltas by constructing networks of irrigation canals and constructing miles of dikes and ditches. In doing so, they played a lead role in transforming California into the nation's leading agricultural state. These immigrants and their descendants helped create the vibrant palette of ethnic cultures that first painted the American West and whose impact is now felt throughout the nation.

The precious poems carved on the walls of the Detention Barracks serve as a physical touchstone and testimony of the experiences of immigrants who crossed the Pacific Ocean. Their experiences are further enlightened by transcripts of their interrogations that are currently stored at the National Archives and Records Administration (NARA) in San Bruno, California.

Digital access to NARA and other immigration records will be an integral part of a Pacific Coast Immigration Museum, education and family history/genealogy center housed in the Immigration Station's Hospital building. Unfortunately, the hospital building is deteriorating rapidly and each winter the structure faces an uncertain survival. Timely funding to stabilize and restore the building is desperately required to prevent further deterioration.

BUILDING THE FUTURE

The enduring value of Angel Island Immigration Station lies in the lessons that its past can teach us about our present and our future. Immigration is a national story, one which gets to the very heart of the American identity—"Who is an American?" and "Who is included or excluded and how has that changed over time?" While Angel Island Immigration Station represents a difficult chapter in our national history, it is ultimately, a story of the triumph and the perseverance of immigrants who endured and established new lives in this country. Angel Island and Ellis Island serve as bookends, not only in geography, but also in meaning and experience.

The restoration of Angel Island Immigration Station is a prime example of how everyday Americans can work together with private, State and Federal partners to preserve an important, yet little known chapter of our national story. Collaboration is the only way to make this a reality. We need a West Coast counterpart to Ellis Island to reflect a uniquely American, yet universal story of immigration.

Thank you, the members of this subcommittee for your understanding of the importance of this project. I urge you and your fellow members of Congress to work to restore and preserve Angel Island Immigration Station. In doing so, generations to come can appreciate this site, a symbol of the perseverance of the immigrant spirit and the diversity of this great nation. We ask for your support of S. 262, the Angel Island Restoration and Preservation Act.

ATTACHMENT—HISTORICAL BACKGROUND

THE CHINESE EXCLUSION ACT

Political chaos and economic struggles plagued China throughout the 19th and 20th centuries, prompting many to leave in search of opportunities in America. California, with its news of gold in 1848, and the building of the transcontinental railroad in the 1860s, offered dreams of survival and prosperity. By the late 1870s, however, America found itself in economic turmoil, and many blamed Chinese labor for the depression.

In 1882, Congress passed the first Chinese Exclusion Act, prohibiting Chinese laborers from immigrating, and denying citizenship to foreign-born Chinese. This act marked the first time any group of laborers was denied entry to the United States solely on the basis of race. Other exclusionary laws followed that profoundly affected all Asian immigration until the repeal of the Chinese Exclusion Act in 1943.

However, the Act did not stop the Chinese and other Asians from coming to America. Many young men, desperate for a better life in America, developed ways to circumvent a system they felt had unfairly targeted them. They came as "paper sons", claiming to be related to a legal resident or another family legally entering the country.

But, the burden of proof fell squarely on the shoulders of every Chinese immigrant brought to Angel Island Immigration Station.

LIFE AT THE IMMIGRATION STATION

Isolated as Angel Island was, immigration officials regarded the location as ideal—communication was limited, quarantine was possible, and escape was unlikely. About 250 to 350 people were usually housed in the barracks at one time. Immigration officials separated men and women, and also segregated Chinese, Japanese, Korean and European immigrants from one another.

New arrivals to the Immigration Station underwent a medical examination. Unfamiliar with the language, customs, and Western medical procedures, the examination was often characterized by newcomers as humiliating and barbaric.

After the physical examinations, the entry hearing was the most critical hurdle. Hearings often lasted two to three days, with inspectors interrogating applicants about the smallest details of their house, village, or family. A family member of the applicant was also interrogated to confirm the applicant's answers.

Passing the interrogation was no simple task. Failure could mean deportation. The last resort was an appeal to a higher court and an indefinite stay on Angel Island while awaiting a decision. Inspectors presiding over each case had wide discretionary power in determining the fate of each applicant.

Questions typically asked included:

- What is your living room floor made of?
- Where is the rice bin kept?
- Where is your village's temple?
- What are the names of the neighbors who live in your village and what are their occupations?
- What direction does your home in China face?
- How many windows does your house in China have?

POEMS

For Chinese immigrants detained on Angel Island, weeks easily passed into months and in some cases, nearly two years. Anxiety, depression and fear were expressed through poetry written or carved into the barrack walls. Today, more than 100 of these poems are still visible at Angel Island Immigration Station, capturing the voices of the immigrants in that time and place, and serving as a physical and emotional testament that resonates with all Americans who share a history of immigration.

Imprisoned in the wooden building day after day,
 My freedom withheld; how can I bear to talk about it?
 I look to see who is happy but they only sit quietly.
 I am anxious and depressed and cannot fall asleep.
 The days are long and the bottle constantly empty;
 my sad mood, even so, is not dispelled.
 Nights are long and the pillow cold; who can pity my loneliness?
 After experiencing such loneliness and sorrow,
 Why not just return home and learn to plow the fields?

A POEM FROM THE WALLS OF ANGEL ISLAND IMMIGRATION STATION,
author and date unknown

Senator THOMAS. Thank you very much. Mr. Noonan.

**STATEMENT OF PATRICK F. NOONAN, CHAIRMAN EMERITUS
 OF THE CONSERVATION FUND, ARLINGTON, VA**

Mr. NOONAN. Mr. Chairman and members of the subcommittee, thank you for the opportunity to be with you this afternoon in support of S. 336, the Captain John Smith Chesapeake National Historic Watertrail Study Act of 2005. I am Patrick F. Noonan, chairman emeritus and founder of The Conservation Fund. It has been my privilege for the past 30 years to work to conserve the great natural and historic treasures of this country, including sites such as Antietam and Gettysburg, the Flight 93 Memorial, and sites along the Lewis and Clark Trail.

I strongly support S. 336 to study the feasibility and desirability of designating the route of John Smith's voyages of exploration as a National Historic Trail. I would like to thank Senators Sarbanes,

Allen, Mikulski, Warner, and Biden for their leadership and the Bush administration for support of this bill. I am particularly thankful as a child of the Chesapeake, having lived near its shores for my entire life.

This proposal comes from the Chesapeake communities who are now preparing to celebrate the 400th anniversary of Jamestown. They embrace the concept of the John Smith Watertrail for they see it as an economic opportunity for tourism and historic growth.

Because of the national, historic, cultural, and economic importance of this area, and because of John Smith's explorations of the bay, I urge support for the bill. Importantly, supporters include the Chesapeake Bay Commission, consisting of State legislators from Maryland, Virginia, and Pennsylvania, unanimous support from the Chesapeake Executive Council, the Governors of Maryland, Virginia, Pennsylvania, and the mayor of Washington, DC, along with the Governor of Delaware, and finally from economic development officers from those States and from local governments.

Mr. Chairman, I would like to introduce some background materials for the record, including letters of support and historic information, which we have provided to you.

Senator THOMAS. They will be included.

Mr. NOONAN. Thank you.

Captain Smith's exploration of the Chesapeake Bay was a monumental historic achievement shaping the boundaries of this country just as did Lewis and Clark. He and his crew of just over a dozen men courageously traveled some 3,000 miles from the capes of Virginia to the mouth of the Susquehanna River. His 1612 map, which we have here, is remarkably accurate and served as a definitive map for the first 200 years of this Nation as a guidepost. It is now being replicated by the National Geographic Society for distribution to school children throughout the watershed in celebration of its 400th anniversary.

He saw a Chesapeake Bay with abundant resources and thriving Native American cultures along the shores of what is now today Maryland, Virginia, the District, Pennsylvania, and Delaware, and he described the Chesapeake best when he said "heaven and earth never formed a more perfect place for man's habitation."

Smith personified the chance for a better life, the chance that would become the American dream of millions of immigrants who would later benefit from his daring. He was raised on a farm in rural England, became a soldier, and was not a part of England's upper class. Arriving in Jamestown as a soldier, he later became president and was able to provide leadership in those difficult times. The impact of Smith's voyages on the American Indians is a critical element of the story and one to be told as part of this study. Yes, Smith is a proud part of the region's rich maritime and cultural heritage. And the working landscape of today would be celebrated by a study of the trail. We believe the Chesapeake is an American treasure and certainly warrants this study.

In conclusion, Mr. Chairman, the adoption of this bill is important for four compelling reasons: first, the national historic importance of Smith's voyages and the Jamestown settlement; second, the unparalleled natural treasures of the Chesapeake; third, and very importantly, the economic opportunities of the trail are mul-

tiple, the celebration of the working landscape, the opportunities for historic tourism, and importantly, the opportunities for enhanced recreation. And finally and maybe most important are the educational opportunities of the trail, for this would surely be an inspiration to American children and a way for them to learn about history and the birthplace of American democracy. It is a story to be told for future generations.

Mr. Chairman and members of the subcommittee, it is my hope that future generations will praise our foresight in considering this bill. We urge your favorable consideration. Thank you and I am pleased to answer any questions you may have.

[The prepared statement of Mr. Noonan follows:]

PREPARED STATEMENT OF PATRICK F. NOONAN, CHAIRMAN EMERITUS OF
THE CONSERVATION FUND, ON S. 336

Mr. Chairman, and members of the Committee, thank you for the opportunity to testify today on S. 336, the "Captain John Smith Chesapeake National Historic Watertrail Study Act of 2005." I am Patrick F. Noonan, Chairman Emeritus and founder of The Conservation Fund—an organization dedicated to preserving historic, natural and working landscapes. In addition, The Conservation Fund promotes economic development through tourism, education and community-based initiatives.

I wish to express my support for this bipartisan legislation that authorizes the National Park Service (NPS) to study the feasibility and desirability of designating the route of Captain John Smith's voyages of exploration as a National Historic Trail. Specifically, S. 336 directs the NPS to study the voyages' historic significance, national significance and potential for recreational use and historic interpretation. I would like to thank Senators Sarbanes, Allen, Warner and Mikulski for their leadership and crucial support on this issue.

For over thirty years, I have worked to protect America's great treasures, such as historic lands, wildlife refuges and parks, and working landscapes by forming partnerships among private landowners, major corporations, and state and federal agencies. These historic treasures include Civil War battlefields such as Antietam National Battlefield, the Flight 93 National Memorial, and sites along the Lewis and Clark National Historic Trail. The Chesapeake is particularly special to me because I am a "child of the Chesapeake" and have lived near its shores for my entire life. I can tell you that this proposal comes from the people of the Chesapeake. Local governments and grassroots organizations have embraced the idea of a John Smith watertrail and support the study. Because of the historic, cultural, and economic importance of Captain John Smith's explorations of the Chesapeake Bay I urge your support for the bill.

CELEBRATING THE AMERICAN DREAM—CAPTAIN JOHN SMITH

The year 2007 marks the 400th anniversary of the founding of Jamestown, the first permanent American settlement, and of Captain John Smith's arrival in the New World. As the eve of Jamestown's founding approaches, it is important to study the national significance of Smith's voyages and the feasibility of establishing a water trail that celebrates his explorations. I believe that John Smith's voyages are on par with Lewis and Clark's Corps of Discovery and their exploration of interior North America. By recognizing John Smith's leadership, we can inspire generations of Americans and overseas visitors to follow Smith's journeys, to better understand the contributions of the Native Americans who lived within the Bay region and to learn about the roots of American democracy.

Captain John Smith's exploration of Chesapeake Bay was a monumental historic achievement, shaping the boundaries, character and future of America. Smith and his crew of just over a dozen men courageously traveled almost 3,000 miles along the Bay exploring a vast region from the Virginia capes to the mouth of the Susquehanna River near Pennsylvania. He saw a Chesapeake Bay with its incredible, productive ecosystem intact and with sophisticated and diverse Native American cultures thriving along the shores of what is known today as Maryland, Virginia, Washington, DC, Pennsylvania and Delaware. A study of the Capt. John Smith Chesapeake National Watertrail would allow us to explore the idea of celebrating

Smith's voyages that opened the door of opportunity to establish our democratic forms of government for all Americans.¹

During his years in the Jamestown colony, Smith explored the Chesapeake Bay searching for the fabled Northwest Passage. His exploration marked the territory, which would eventually become the State of Maryland, the Commonwealth of Virginia and the State of Delaware. Smith's 1612 map was the first accurate depiction of the Chesapeake Bay and the native settlements present. For nearly a century, the map served as the definitive map of the region, including areas documented entirely with information supplied by Native Americans. By providing accurate information, this map enabled the colonization of the East Coast by the English.

On his voyages and as President of the Jamestown Colony, Captain Smith became the point of first contact for scores of Native American leaders from around the Chesapeake. His notes describing the indigenous people he met in the Chesapeake are still widely studied by historians, anthropologists and scientists. The impact of Smith's voyages on the American Indians is a critical element of the story. Smith commonly formed partnerships with the many different tribes by building an economic relationship based on trade. The supplies he obtained through trade with American Indians are credited with saving the Jamestown colony, during its early years. The historic meeting between colonists and American Indians profoundly impacted both cultures and changed the course of history. These early interactions between the ambassadors of both peoples were in many ways a significant prelude for events to come.

As chronicled in his journals, Smith's voyages in America ignited the imagination of the Old World. He produced many books and his writing inspired hundreds, and then thousands of people to settle in the "dense woods and fertile valleys" of the Chesapeake. His adventurous spirit, descriptive writing, and accurate mapping all serve to bolster his place in history. A man of humble birth, he was a captivating individual that played a crucial role in our country's history. The watertrail provides a practical opportunity for the outdoor enthusiast as well as the historian to get a taste of his Smith's spirit by traveling the same route he did nearly 400 years ago.

In many ways, Captain John Smith personified the chance for a better life that would become the American dream for the millions of immigrants who would later benefit from his daring. The son of a farmer in Lincolnshire, England, Smith left his home to seek adventure and fortune in the wider world. Although he was not part of England's upper class, he became President of the Jamestown Colony as an agent of the London-based Virginia Company, one of the first "venture capital" enterprises. Smith demonstrated that America was a different place, where success was achieved through hard work, not necessarily nobility. He helped set the foundation for America's philosophy of equality through his famous "Don't work, don't eat" policy. Smith focused on skills and talents, not titles, setting an egalitarian outlook that has echoes in America to this date.

Smith was a bold leader who defied the odds and ignited a nation. His contemporaries gave him the credit for having supplied the firm hand and commonsense that saved the Jamestown colony during its early struggles with starvation and disease. If not for his leadership, the colony would most likely have failed like the earlier lost colony of Roanoke. England may have lost its claim on the New World and our history would have been vastly different. Instead, he planted the seeds of our American democracy right here in the arms of the Chesapeake and provided inspiration to our county's founding fathers, such as Thomas Jefferson when writing the Declaration of Independence.

MARITIME HERITAGE, TOURISM AND RECREATION

The Chesapeake community is very excited to celebrate the upcoming 400th anniversary of the founding of Jamestown and the compelling tale of Smith's exploration of the Chesapeake and his interactions with the American Indians. The idea for the John Smith Watertrail has built off of local enthusiasm and makes sound economic sense. Smith is a proud part of the region's rich maritime and cultural heritage, which includes the fleets of working boats tied up to the docks at watermen's villages, restored 19th century skipjacks and buyboats, Native American villages, and documentation in local maritime museums. John Smith's waterways of history would link these features with other recreational, cultural and historic destinations providing a highly desirable tourism opportunity for the region.

The potential historic tourism opportunities that the watertrail would provide have garnered the support of the Chesapeake Bay Commission, the Chesapeake Ex-

¹For more information, see *Love and Hate in Jamestown: John Smith, Pocohontas, and the Heart of a New Nation* by David A. Price, published in 2003.

ecutive Council, and economic development officers from Maryland, Virginia and various local governments. Involving communities, non-governmental organizations, public agencies, business and private landowners in establishing the watertrail would demonstrate a new model for public-private partnerships so crucial to protecting the ecological integrity of working landscapes and the ability to experience history.

TRAIL INITIATIVES AND SUPPORTERS

An expansive network of diverse organizations that support the creation of the watertrail has developed over the last few years. For example, Sultana Projects Inc., which runs maritime education programs for students out of Chestertown, Maryland, is building a replica of John Smith's 28-foot boat used in mapping the Bay. In June of 2007 they will retrace Smith's journey in the boat.

On the Eastern shore, the town of Vienna, Maryland funded a geographer at Salisbury University to research exactly where Smith voyaged on the Nanticoke River. The town of Vienna is also interested in building a John Smith Discovery Center.

The Commonwealth of Virginia is developing the first two trail segments of the watertrail on the James and York rivers as part of the quadricentennial celebration.

The Chesapeake Bay Foundation, a regional 115,000-member grassroots environmental organization dedicated to preserving and restoring the Chesapeake Bay, is an active collaborator and supporter of a national historic watertrail. The Foundation uses Smith's journals and descriptions of the Bay 400 years ago as the baseline for their annual State of the Bay report and in their education program.

Reflecting this excitement building for the 2007 celebration, many key officials have pledged their support, including: Governor Ehrlich of Maryland, Governor Warner of Virginia, Governor Rendell of Pennsylvania, Governor Minner of Delaware, and Mayor Williams of the District of Columbia, as well as the chair of the Chesapeake Bay Commission Michael Waugh.

The National Geographic Society (NGS) has also recognized the historic contributions of Smith. It is producing several Captain John Smith and Chesapeake Bay related products including an article in the upcoming June 2005 issue of National Geographic Magazine. NGS is also creating a wall map, one side to describe the Chesapeake Bay as it is today and the opposite side to depict the John Smith trail, with Indian sites and other historic markers. The intent is to distribute this map, supported by an educational website and other educational materials to schools in the watershed, in conjunction with Chesapeake Bay Foundation. In 2006, an NGS publication will include guide information for boaters who want to follow Captain John Smith's routes around the entire Bay trail.

CONCLUSION

The Chesapeake is an American treasure. It is the cradle of our nation, and ties us to our history as a nation from Yorktown to Capitol Hill. The Chesapeake is also a working landscape providing billions of dollars annually to the economy of the region and is cherished by the millions of people that live near its shores. I feel that a study of the Captain John Smith Chesapeake National Watertrail would find exceptional opportunities for unparalleled recreation and historical tourism experiences, education, and stewardship.

S. 336 recognizes the riches of the Chesapeake, just as John Smith did when referring to the Chesapeake and said "Heaven and earth never agreed better to form a more perfect place for man's habitation." I urge your favorable consideration of this bill and would be prepared to answer any questions you may have.

Senator THOMAS. Thank you. Thank you both.

Mr. Noonan, what is the name of this facility now?

Mr. NOONAN. Presently the watertrail does not exist. What we are calling for is a study as to the feasibility of creating a multi-State jurisdiction national watertrail.

Senator THOMAS. The Captain John Smith Chesapeake National Historic Watertrail is—

Mr. NOONAN. That is the proposed name of the study to create that.

Senator THOMAS. And that would be the first. So there is no name to it now particularly.

Mr. NOONAN. No. This would be the name that we are proposing as part of the study to be conducted by the National Park Service.

Senator THOMAS. Apparently, as I mentioned to the other gentleman, there are others. This was the first one where the route is entirely over water apparently.

Mr. NOONAN. This is the first of its kind over water and multi-jurisdictional. Four States and the District of Columbia would be affected.

Senator THOMAS. I see. Thank you.

Ms. LOWE, you indicated that the Park Service is a partner. What role have they played in this?

Ms. LOWE. Well, as was indicated, they have actually been very instrumental in all the technical support and the condition assessment of the facility and of all the preliminary condition assessment reports. They actually even helped us to write our proposal when we received our National Historic Landmark designation. We have worked very closely with the GGNRA. Superintendent Brian O'Neal has been instrumental in helping us plan out our strategies for how to raise money on this project. And of course, we did receive the \$500,000 in Save America's Treasures dollars.

Senator THOMAS. So the Park Service apparently is somewhat concerned about just doing the money.

Ms. LOWE. Yes.

Senator THOMAS. It being not a State park or not really an affiliated State area.

Ms. LOWE. I am sympathetic with that. Of course, we all worry about the dollars. I have to say that if we had been able to squeeze really \$18.5 million from California State and as this is a national story, we feel that the location is much less an issue than the significance of the story. Of course, during its time of operation as an immigration station, it was Federal property. It was turned over to State parks in 1963.

Senator THOMAS. Well, I understand your situation. On the other hand, I understand what the parks are saying. We have 388 parks in this country and some other sort of historic sites, all of which the Government has some responsibility for. So there is not an excess of dollars, as you know.

Ms. LOWE. I understand. So we can either make the pie bigger or maybe we can be creative and find a way to make this a national historic site. In talking to your staff, I understand that there might be ways around this if we really put our minds to it.

Senator THOMAS. Well, it is certainly very interesting, and we will be happy to take both of these under advisement.

We thank both of you for being here.

Ms. LOWE. I appreciate very much the opportunity to answer your questions and also to bring our heads together on this.

Senator THOMAS. I appreciate it. If we have any further questions, we will get them to you and put them in the record.

The subcommittee is adjourned.

[Whereupon, at 3:25 p.m., the hearing was adjourned.]

APPENDIXES

APPENDIX I

Responses to Additional Questions

ANGEL ISLAND IMMIGRATION STATION FOUNDATION,
BOARD OF DIRECTORS,
San Francisco, CA, May 19, 2005.

Hon. CRAIG THOMAS,
Chairman, Subcommittee on National Parks, Committee on Energy and Natural Resources, U.S. Senate, Washington, DC.

DEAR SENATOR THOMAS: Thank you for your kind note which I received this afternoon regarding my testimony on behalf of Angel Island Immigration Station Foundation (AIISF) to the Subcommittee on National Parks on April 28, 2005. Your consideration of our request to enable AIISF to be eligible for federal funds is greatly appreciated. The approval of such legislation would be extraordinarily helpful in our efforts to restore this National Historic Landmark and create the "Ellis Island of the West."

I hope this directly answers the questions raised in your letter. Please feel free to contact me directly at (415) 824-5599 if I can provide more information or clarification.

Again, we deeply appreciate your consideration of this extremely important request.

Sincerely,

FELICIA LOWE,
Vice President.

[Enclosure.]

Question 1a. What sources have you approached for funding to perform the restoration work?

Answer. AIISF has been a legal 501 (c)(3) since 1985 and has existed solely on the contributions of foundations, corporations and individuals since then. We have approached a myriad of specific sources within those three general categories. Approximately 2,500 individuals have donated to Angel Island over that period ranging in size from \$5 to \$100,000. In addition, we hold a Fall Fundraising event each year largely sponsored by local corporations such as Wells Fargo Bank, Bank of America, United Parcel Service, etc. In total, approximately 50 corporations have donated at least \$1,000 to our restoration work through this effort.

AIISF has approached dozens of local (and some national) foundations and have received grants from approximately 40 different foundations including the San Francisco Community Foundation, the Evelyn and Walter Haas, Jr. Fund, the Marin Community Fund, the Gerbode Foundation, the Getty Trust and the Richard and Rhoda Goldman Fund. The grants have ranged in size from \$5,000 to \$200,000. As was mentioned at the hearing, the State of California approved a bond allocating \$15 million to Angel Island Immigration Station and AIISF successfully applied for a California Cultural and Historical Endowment grant for which \$3 million has been recommended towards the restoration work.

As we move forward with our \$50 million capital campaign to restore the Immigration Station, we expect to expand the scope of funders nationwide.

Question 1b. Have you pursued funding from existing federal preservation programs?

Answer. After National Historic Landmark designation was achieved, AIISF did receive \$500,000 through the federal program, Save America's Treasures. That, however, is the only source of federal funds which have been sought and obtained.

Because the Angel Island Immigration Station Foundation is on state-owned property, we have been ineligible to receive federal funds beyond the Save America's Treasures grant. This is a significant hindrance to our ability to successfully fund this national project which during its period of operation was enforcing federal legislation. Passage of S. 262 will allow us to seek additional federal funds.

Question 2. What is the annual visitation to Angel Island?

Answer. More than 1 million people currently visit Angel Island each year with over 60,000 (½ of whom are school children) making special trips to tour the Angel Island Immigration Station.

Question 3. Are there user fees charged for visiting the site?

Answer. There are no user fees to visit the Island or the Immigration Station. There is a fee charge for transportation to Angel Island by the privately owned ferry company, and there is an optional/suggested donation fee of \$2 for those taking a tour of the Immigration Station.

Question 4. How many buildings are part of the immigration station?

Answer. There are 7 original buildings that are a part of Angel Island Immigration Station including:

- The Detention Barracks
- The Hospital
- The Power House
- The POW Mess Hall
- The Pump House
- The North and South Barracks
- The Mule Barn

Question 4a. Will this funding restore all of the structures associated with the immigration station?

Answer. No. Only the Detention Barracks, the Hospital, and the Power House are included within our \$50 million capital campaign. The Hospital is the second most important structure and will house a museum, family/genealogy research center and public space for learning and performances. It is in horribly dilapidated condition and it is our hope that federal dollars will help shore up this structure before it collapses. The \$15 million in California State bond which covers the costs of Phase I restoration of the Detention Barracks with its precious poems carved on the walls is now underway. In addition, the original footprint of the Administration Building that burned down in 1940 will be used for circulation and interpretation. The remaining buildings may be renovated at a later date and would require additional funding. But the restoration of these additional buildings is not central to the core project of restoring the Immigration Station.

Question 4b. What is the total estimate to restore all buildings?

Answer. The total restoration cost for the three primary buildings is approximately \$40 million. An additional \$5 million will be raised for interpretive programs and exhibits and \$5 million will be needed to support all the administrative functions of the national campaign, the Angel Island Immigration Station Foundation and staff time for project management.

DEPARTMENT OF THE INTERIOR,
OFFICE OF LEGISLATIVE AND CONGRESSIONAL AFFAIRS,
Washington, DC, May 26, 2005.

Hon. CRAIG THOMAS,
Chairman, Subcommittee on National Parks, Committee on Energy and Natural Resources, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: Enclosed are answers to the follow-up questions from the hearing held by the Subcommittee on National Parks on April 28, 2005, on H.R. 126, S. 242, S. 262, S. 336, S. 670, and S. 777. These responses have been prepared by the National Park Service.

Thank you for giving us the opportunity to respond to you on this matter.

Sincerely,

JANE M. LYDER,
Legislative Counsel.

[Enclosure.]

QUESTIONS FROM SENATOR THOMAS

Question 1. (H.R. 126, Cape Lookout National Seashore, Shackleton Ponies): Legislation to establish a target population for one species does not happen very often.

Is it necessary to define such a narrow target population and will it be possible to achieve?

Answer. Statutory restrictions already have been enacted to establish a target population for one species. H.R. 126, now under consideration, if amended as recommended by the National Park Service, would broaden the target range of the horses by “allowing periodic population expansion of the herd to a maximum of 130 horses”. While it is possible to achieve a narrower target population, it would require intensive management. The NPS believes that the ecology of the island and the genetic viability of the herd would be better protected if the population were allowed to fluctuate over time.

Question 2a. (S. 242, Space Shuttle Columbia Memorials): Commemoration of the tragedy that occurred on February 1, 2001, is necessary and appropriate. Memorialization of that tragic event has been done at several locations, notably; the Space Mirror Memorial dedicated to all our fallen astronauts, a commemorative plaque at Arlington National Cemetery, and a ‘Columbia Room’ has been dedicated at the Vehicle Assembly Building of the Kennedy Space Flight Center in Florida.

How will the establishment of the Space Shuttle Columbia Memorial complement these efforts?

Answer. In addition to the memorials mentioned above, as we stated in our testimony there are other memorials dedicated to individual astronauts and there may be additional memorials that we are unaware of. A study would be the best way of developing a comprehensive list and understanding of what memorials already exist and how these memorials might complement or duplicate commemoration efforts.

Question 2b. What management role will the National Park Service have in this memorial?

Answer. A study would also address an appropriate role for NPS in the management of the memorial depending on the type of memorial recommended.

Question 2c. Will private donations be used in the design and construction of these memorials?

Answer. Hopefully, private donations would be a significant part of the process, but again, a study that examines the type of memorials that would be established should be done. A study would examine the interest and feasibility of relying on private-sector contributions for a memorial.

Question 3a. (S. 262, Angel Island Immigration Station): Angel Island Immigration Station is maintained and operated by the State of California.

What management responsibility does the National Park Service currently have at Angel Island Immigration Station?

Answer. The National Park Service has no management responsibility; the immigration station is owned and managed by the State of California. The Park Service role has been limited to one of assisting in developing a restoration and interpretation strategy and managing contracts for some reports and assessments that were done to guide the preservation efforts.

Question 3b. Has the property been evaluated for possible designation as a unit of the National Park System?

Answer. Angel Island is a state-owned property located within a unit of the National Park System, the Golden Gate National Recreation Area. In the FY 1999 appropriations for the Department of the Interior, the National Park Service was directed to “evaluate the feasibility and desirability of preserving and interpreting sites within the Golden Gate National Recreation Area, including the Angel Island Immigration Station, that are related to immigration.” The NPS made an informal determination that, although it was possible that Angel Island might meet the criteria for inclusion in the National Park System, there was no need to pursue evaluation of NPS management of the site because the State of California wanted to continue managing it.

Question 4. (S. 336, Captain John Smith Chesapeake National Historic Watertrail feasibility study): Does the NPS currently manage any watertrails?

Answer. Yes. As part of the National Park System, we have some units such as Everglades National Park and Virgin Islands National Park, which contain water trails that we manage. In addition, some Wild and Scenic Rivers are part of the National Park System that contain miles of water trails.

As part of the National Trails System, we administer two trails that traverse both water and land. The Lewis and Clark National Historic Trail is administered by NPS, with most of the trail following the Missouri and Columbia Rivers. The Trail of Tears National Historic Trail is administered by NPS, in partnership with other federal agencies, State and local agencies, non-profit organizations, and private landowners. The Corps of Engineers manages the water trail part of the Trail of Tears NHT. Finally within the Chesapeake Bay Gateways Network, there are 22

water trails. These are primarily managed by State, regional, and local governments, and non-profit organizations.

Question 5a. (S. 670, Cesar Chavez Farm Labor Movement, special resource study): What type of potential National Park designations are being considered as part of this special resource study?

Answer. We will not know what types of National Park Service designations, if any, might be appropriate until the study is authorized and we begin examining sites. Often in cases where we are looking at multiple sites, we look at not only potential designations as a unit of the National Park System, but also potential designations as a national heritage area or a trail or some other entity. Often studies find that the National Park Service should have no role or a very limited one in managing the resource. About three quarters of our studies end up with a recommendation for actions that are more appropriately carried out by another entity and do not involve management by the National Park Service.

Question 5b. How many sites will be evaluated as part of this special resource study?

Answer. We won't know how many sites we will evaluate until the study is authorized and we determine the scope of the study.

Question 6a. (S. 777, Catoctin Mountain Park name change to Catoctin National Recreation Area): Have community meetings been held regarding the name change?

Answer. On May 2, 2005, the Superintendent of Catoctin Mountain Park briefed President William O'Neil of the Town of Emmitsburg (the northern gateway community for the park) regarding the change in unit designation for Catoctin Mountain Park. At that meeting the Board voted 5-0 to endorse the name change in a resolution.

Question 6b. Does the name change have local support?

Answer. The town of Smithsburg in Washington and Frederick Counties, MD is in full support of the National Recreation Area designation. The town of Thurmont in Frederick County would also prefer the national recreation area designation.

Question 6c. The legislation gives the National Park Service authority for land acquisition. How much land have you identified for possible acquisition?

Answer. The land acquisition authority is a restatement of existing authority from Executive Order 7496, which established and provided the acquisition authority for the Recreational Demonstration Project, of which Catoctin is one, in 1935. We currently have approximately 1.0 acres proposed for acquisition as part of a land exchange to correct a surveying error.

Question 6d. Who owns the land being considered for acquisition and are any landowners opposed to this effort?

Answer. The land is owned by a single park neighbor who is considering our offer at this time. There is no opposition to this land exchange. Any acquisition would be only from a willing seller.

QUESTION FROM SENATOR ALLEN

Question 1. The Park Service has again proposed an amendment that would install a hard cap of 130 wild horses on Cape Lookout National Seashore. However, when asked about this in the two prior congressional hearings on the bill, NPS stated that their support was not contingent upon adoption of their suggested amendment.

It is my understanding that the scientific consensus surrounding the genetic viability of the Shackelford Banks herd is that in order for the population to remain viable, it should be allowed to fluctuate between 110 and 130, and to bloom occasionally to slightly above 130 (only of course to be brought back down again in future roundups).

Furthermore, I understand the experience with National Park Service management of the horses under the existing statute is that administering a hard cap is controversial, unnecessarily inflexible and impractical. We don't want to perpetuate the problem by forcing the Park Service to immediately remove a horse should the population go to 131.

In light of these things, I trust that the Park Service will continue its past position of supporting the bill with or without the amendment. Is that the case?

Answer. The Department supports H.R. 126, with an amendment regarding the population range of the horses that allows the number of horses to fluctuate between 120 and 130 free roaming horses and allows for a periodic population expansion of the herd to a maximum of 130 horses. This number is based on sound science and provides the population changes which are necessary for maintaining the genetic viability of the herd.

THE CONSERVATION FUND,
Arlington, VA, May 18, 2005.

Hon. CRAIG THOMAS,
Chairman, Subcommittee on National Parks, Committee on Energy and Natural Resources, U.S. Senate, Washington, DC.

DEAR CHAIRMAN THOMAS: Thank you for the opportunity to testify before the Senate Subcommittee on National Parks in support of S. 336, a bill to authorize a feasibility study of the Captain John Smith Chesapeake National Historic Watertrail.

Captain John Smith's role in establishing Jamestown and his monumental exploration of the Chesapeake Bay is a compelling national story. This legislation would recognize the importance of his voyage.

In response to your letter of May 1, 2005, I have attached answers to the questions that you submitted for the record. Please let me know if you need additional information. I look forward to working with you to pass this important legislation.

Sincerely,

PATRICK F. NOONAN,
Chairman Emeritus.

[Enclosure.]

QUESTION FROM SENATOR THOMAS

Question 1. A watertrail is a new concept for the National Park Service (NPS), are there examples of watertrails managed by other entities?

Answer. There are over 400 watertrails across the country managed by federal, state, and local government agencies, non-profit organizations, and partnerships among these entities. The NPS manages water trails in units of the National Parks System, and in components of the National Trails System (NTS) and the National Wild and Scenic Rivers System (NWSRS). For example, in the units of the National Parks System, Everglades National Park has canoe trails, and the Virgin Islands National Park has an underwater trail. In the case of the NTS, both the Lewis and Clark National Historic Trail and the Trail of Tears have terrestrial and aquatic components. Lastly, units of the NWSRS have water trails within them, such as with the Upper Delaware Scenic River.

Twenty-four states currently manage watertrails along with numerous non-profit organizations. The following are examples of watertrails from across the country:

- *Maine Island Trails:* This trail runs for 325 miles along the coast of Maine, extending from Casco Bay to Machias Bay. It includes over 135 public and private sites along the route. The Maine Islands Trails Association maintains the trail.
- *Lake Superior Water Trail:* This trail was established by the Minnesota Legislature in 1993 and will eventually be 150 miles. The development and maintenance of the Water Trail is a joint effort of the Minnesota Department of Natural Resources and the Lake Superior Water Trail Association of Minnesota.
- *Washington Water Trails:* Washington State has an array of watertrails, which connect inland lakes, rivers, waterways, and ship canals with the shores of Puget Sound and the Pacific Ocean. The Washington Water Trails Association coordinates them.
- *Northeastern Illinois Water Trails:* These trails are located in Northeastern Illinois. There are over 10 trails that compose nearly 500 miles of recreational water routes. The watertrails are managed through a partnership of local governments and volunteers.
- *Pennsylvania Water Trails:* The Pennsylvania Fish and Boat Commission (PFBC) have designated 17 official Pennsylvania water trails. While the PFBC coordinates and designates the trails, individual trails and trail corridors are conceived and maintained by a network of volunteers, property owners, civic groups and associations.

We would be pleased to provide more details upon request.

Question 2. How many sites in how many states do you anticipate being part of the watertrail?

Answer. Captain John Smith's routes of travel included Virginia, Maryland, Delaware, the District of Columbia and the northern extent of his exploration nearly reached the Pennsylvania border. Should Congress pass this legislation, the number of sites would ultimately be determined by Congress or through a planning process as delineated by the authorizing legislation establishing the trail.

Question 3. Are any recreation sites currently managed along the proposed route of the watertrail?

Answer. Yes. There are many local, state and federal recreation sites currently managed along the proposed watertrail. These include: eight National Wildlife Refuges, over 20 state parks, and hundreds of local parks and facilities.

Question 4. Do you anticipate any recreation sites or economic development as a follow-on to the feasibility study or is the goal to document the history of an area?

Answer. By directing the Secretary of the Interior to carry out a study of the feasibility of designating the Captain John Smith Chesapeake National Historic Watertrail as a national historic trail, the bill will improve historical documentation of the Bay area. If the National Park Service finds that the watertrail is both feasible and nationally significant, and Congress establishes the trail, then we anticipate that the watertrail will promote tourism and recreation-related economic development, including guide services and hotel accommodations.

APPENDIX II

Additional Material Submitted for the Record

STATEMENT OF HON. HILDA L. SOLIS, U.S. REPRESENTATIVE FROM CALIFORNIA,
ON S. 670

Thank you, Chairman Thomas and Ranking Member Akaka, for the opportunity to testify in support of S. 670, a bill to authorize a special resource study by the Department of Interior to honor the life of Cesar Estrada Chavez. I appreciate the leadership of Senators McCain and Salazar, and appreciate your willingness to give this legislation quick hearing in your Subcommittee. I hope the full Energy and Natural Resources Committee will consider this legislation in a timely manner. I look forward to its passage again by the U.S. Senate.

Chavez was a humble man who knew the importance of hard work and sacrifice. Raised during the Great Depression, Chavez's family lost everything and he was forced to wander the southwestern United States with thousands of other farm-worker families. Farm workers were united as they fought to survive in the often harsh working and living conditions of the migrant life. As a migrant farm worker he learned the value of community and family.

Chavez eventually left the fields in 1952 and joined the Community Service Organization where he conducted voter registration drives and campaigns against racial and economic discrimination. In 1962, Chavez returned to help farm-worker families and started the National Farm Workers Association. Today we know this organization as the United Farm Workers of America.

Chavez was a student of Mahatma Gandhi's non-violent philosophies. The United Farm Workers continues the tradition of peaceful protest to achieve change. Through this philosophy they have fought for fair wages, health care coverage, pension benefits, housing improvements, pesticide and health regulations and countless other protections for the health and wellbeing of the farm worker and their family.

It is appropriate that this legislation authorizes the Department of Interior to do a special resources study to examine the areas that Chavez lived for potential incorporation into the National Park Service. Ninety-six percent of Latinos believe the environment should be an important priority for this country; we understand the link between our environment and our health. As a child, my parents couldn't afford to take my siblings and me on vacations, but nonetheless they made sure we enjoyed the outdoors and learned to value and appreciate what we have. It would be an honor to know that future generations can walk through our National Park System and find ways this nation has honored the legacy of one of our own, Cesar E. Chavez.

Despite the legacy of people like Chavez, there are no historical, geographical or cultural designations in the National Park Service for the Latino community. The life of Cesar Chavez provides an outstanding opportunity to correct this injustice, by demonstrating and interpreting the history of agricultural labor in the west through the National Parks Service. A true American hero and co-founder of the United Farm Workers, Chavez was a civil rights, and labor leader. A religious and spiritual figure, a community servant and social entrepreneur, he was a crusader for nonviolent social change, and environmentalist and consumer advocate. The stories of his struggles and triumphs need to be communicated and preserved for *all* Americans.

Since I was a young Latina, Cesar Chavez has been my inspiration. His work inspired me to find ways to help others and led me to civil service where I strive to do the best I can for those I represent.

I was the author and the primary sponsor of this legislation in the U.S. House of Representatives in the 108th Congress, and I plan to reintroduce this legislation again. Last year I was very pleased when the U.S. Senate passed this legislation unanimously. I am glad Members of Congress recognized the great influence of Cesar E. Chavez. I look forward to the opportunity to reintroduce this language in

the House and hope that this session, unlike last, the House will also quickly consider this important legislation.

Thank you again.

STATEMENT OF EDWARD WRIGHT HAILE*

AMERICA, THE CHESAPEAKE BAY, AND CAPT. JOHN SMITH

Captain John Smith's Chesapeake Bay dwarfs any other stretch of our coastline in historical firsts. It was on the broad estuary first explored and mapped by the great captain in 1608 that the American idea was first tried. Here America began in England's first successful colony in 1607: the America of democracy and British dominion; the America of freedom and slavery. Here was the first society to proclaim religious liberty, the first government to separate church and state. Here were the earliest forms of county and state government. The first American deeds were written for Chesapeake land. When Jefferson wrote that all men were created equal, he was thinking of a colonist on the Chesapeake Bay. Our first president was the president of the council at James Fort. The House of Representatives and the Senate are a direct outgrowth of that council and the elected House of Burgesses at Jamestown. In July 1619, what else deserves to be called the cradle of democracy? The distance from the cattails at Jamestown island to the cattails below Capitol Hill is two hundred and twenty-two miles. Up the Chesapeake Bay.

Here was the common man's first foothold on history. The Council of Virginia, sitting in London, sent a direct appeal to the lord mayor of the city:

And if the inmate enjoined to remove shall allege he hath not place to remove unto, but must lie in the streets, and being offred to go THIS JOURNEY shall demand what may be their present maintenance, what may be their future hopes—it may please you to let them know that for the present they shall have meat, drink, and clothing, with an house, orchard, and garden, and a possession of lands to them and their posterity: ONE HUNDRED ACRES. (16 March 1609)

It set off an explosion still going on.

The first settlers at Jamestown (officially Anglican) included Puritans, Catholics, atheists; even an individual who asked the council if he might become a citizen of Virginia if he was a subject of the shah of Persia. (The answer was yes.) The roster of early arrivals included, among good old British names, a large group that could be considered as merely first or second generation Anglicized: Anas Todkill (Dutch?), Richard Mullinax (French?), Abram Ransack (Jewish?), Anthony Bagnall (Italian?). The craftsmen at the glassmaking shop in 1608 were Polish. Germans built the emperor Powhatan a modern home at Werowocomoco.

As the colonists came increasingly in contact with local Indians up and down the Bay, the words *chinquapin*, *chum*, *hickory*, *hominy*, *moccasin*, *opossum*, *pecan*, *persimmon*, (*corn*)*pone*, *pokeberry*, *raccoon*, *roanoke*, *squaw*, *terrapin*, *tomahawk* entered our speech to stay. H. L. Mencken's American Language was Powhatan first.

After several prior failures, England staked much treasure and prestige on the survival of her Chesapeake colony. Had it failed, America would have become French, Dutch, Swedish, Spanish. Or nothing at all. There would have been no thirteen colonies.

Actually, it did fail, in a fashion. There were more lives lost establishing a beachhead on the Chesapeake than were lost at Normandy. On the morning of June 6, 1610, the English settlement at James Fort, racked by starvation and disease, was abandoned. One hundred colonists boarded ship to return to England. On the evening of the same day, the supply fleet of Lord Delaware met them off Mulberry Island in the James, and America was resuscitated.

It returned to serve as the model and the inspiration to all that followed. After 1610, colony-making was no longer a gamble in the dark. The East Coast was mapped, techniques were perfected, startup costs calculated, Englishmen were familiar with native cultures and languages. Samuel Argall, operating out of Jamestown in 1613, swept the French from of an area that Captain John Smith a year later would dub "New England." The Plymouth Colony, facing its share of shortages and hardships in the 1620s, was relieved with supplies from the Chesapeake Bay. All at once, in the wake of that epochal period, one speaks of northern colonies, middle colonies, southern colonies, and the seaboard map is filling up and thickening westward.

* Edward Wright Haile is a leading expert on Captain John Smith. In 1998, he published the almost 1,000 page *Jamestown Narratives—Eyewitness Accounts of the Virginia Colony*, an edited collection of all primary source material for the first ten years of the Jamestown Colony.

The Bay's first explorer is that same Captain John Smith. Of plain origins, he became America's first and strongest popular leader and best Indian trader. He was an adventure writer who lived the life. He was an historian and lexicographer. He studied Indian culture and spoke the Powhatan language. He promoted Virginia (read American) colonization in print, cataloging its plants, describing its soil. His contemporaries recognized his achievement and gave him the credit for having supplied the firm hand as president that saved the Jamestown colony at its first nadir. If George Washington is the father of our country, John Smith is the grandfather.

The colony was a year old when, over the summer of 1608, he made two back-to-back Chesapeake voyages of discovery of 1100 miles each. He chose fourteen volunteers to man a thirty-foot open boat, with sails and oars, calling it a "discovery barge." It was supplied with a week's rations and water, firearms, including fireworks (to impress the natives), navigational instruments, trade goods, writing materials, a first-aid kit (one crewman was a doctor). In the event of bad weather, they were expected to huddle under a tarpaulin, but no proper tent. They were gone a month and a half, came back, rested and recouped for three days; Smith picked twelve volunteers (eight were the same men), and they left to be gone another month and a half. A crewman describes their task and the result:

. . . to search [for] a glistering metal . . . but all we got proved of no value. Also to search what furs and what other minerals, rivers, rocks, nations, woods, fishings, fruits, victual, and what other commodities the land afforded, and whether the bay were endless or how far it extended.

Of mines we were all [disappointed], but a few [fur-bearing animals] we found, and in divers places that abundance of fish lying so thick with their heads above the water as for want of nets we attempted to catch them with a frying pan, but . . . in the Bay of Chesapeack [despite superabundance] they are not to be caught with frying pans!

And further:

To express all our quarrels, treacheries, and encounters amongst those savages I should be too tedious, but, in brief, at all times we so encount'ed them and curbed their insolencies that they concluded with presents to purchase peace, yet we lost not a man. At our first meeting, our captain ever observed this order: to demand their bows and arrows, swords, mantles, and furs, with some child or two for hostage, whereby we could quickly perceive when they intended any villainy.

The first day out took him through Hampton Roads, 254 years later to witness the birth of ironclad warfare between the Monitor and Merrimac.

On days three and four the explorers sounded the waters of the Eastern Shore inlet where in the 1620s William Johnson would be America's first black landowner.

Within a week Smith's party were the first Englishmen to enter the future colony of Maryland. They ascended the Nanticoke River to set foot on the southwest corner of Delaware. The discovery barge landed on Tangier Island in search of water. Today it is still inhabited by direct descendants of 17th-century settlers.

Crossing the Bay and cruising up the western shore of Maryland, Smith found it devoid of population despite its "dense woods and fertile valleys." Englishmen read that in 1612 and wanted to go by the hundreds, then by the thousands. If it was true of Maryland and Virginia, it had to be true of the whole East Coast.

He passed the site of the Naval Academy on June 11, the next day Baltimore harbor. Rowing past Fort McHenry Point, he heard no chorus sing "The Star-Spangled Banner," but if he had he would have been on his feet. He writes in his *General History* that the land and the water were rich beyond imagination, and would give rise to the greatest nation on earth. The same day up the Patapsco River, on foot he passed over the 1731 birthplace of Benjamin Banneker.

He turned south to the Potomac River, visiting its "king's houses," passing the birthplace of George Washington on the way from Cecomocomoco to Potapaco. He looked into Pohick Bay, home of the Bill of Rights, to stop next at Namassingakent, today Mount Vernon, crossing the river that afternoon to Moyaons, the king's house of the Piscataway tribe. The Piscataway are still there. The next day, July 3, 1608, being the very *day* that Samuel de Champlain founded the city of Quebec, 620 miles to the north, Captain John Smith discovered the District of Columbia and cruised past the site of the Lincoln Memorial, lands 180 years later surveyed by Washington and Banneker.

On his second voyage Smith's party cruised directly to the Bay's headwaters, mapping en route the site of Maryland's first English settlement in 1631.

They met a fleet of seven bark canoes on 31 July. It was the first encounter of the English and the mighty Iroquois. The League of the Six Nations later served as Benjamin Franklin's federal model for the Constitution.

Smith named the place Pisings Point, after Edward Pising, a carpenter and a soldier. Other explorers named places after saints or royalty or wealthy patrons. Smith often named his discoveries for the men beside him on the bench pulling oars. America was already going to be different from Europe.

A week later, climbing Fair Hill, the explorers gazed over the broad Delaware estuary below Philadelphia. It was another two years before Lord Delaware discovered its sea mouth.

Rowing up the Bay's greatest river to the head of tide and to a modern state line, the Captain met five chiefs of the Conestoga tribe of central Pennsylvania. Their land would be purchased a century later to become the nation's richest farm country and the center of Pennsylvania Dutch settlement.

He learned from them that an era was coming to an end. A hundred and sixteen years after Columbus and the sponsors of voyages of discovery were still hoping to find a way around or through the continent to Asia. Cabot, Verazzano, Frobisher, Drake, Cartier, and other explorers had fed hopes of a northwest passage. Captain John Smith named the rapids of the Susquehanna "Smith's Falls" on August 2nd, and it is fair to say the lash hope of a sea route to China was gone.

On an evening in early September the explorers passed the mouth of the York, rowing southward in a calm to drop anchor beside it a small bay named for Bartholomew Gosnold, who had been the principal instigator and organizer of the 1607 colonization. In passing south of the York, Smith had completed his 2500-mile exploration establishing England's continental claim. Yet it was here in 1781 the French fleet would blockade the army of Cornwallis at Yorktown and bring about the surrender of it all—to a new nation. And sent the British packing to Champlain's Canada!

At Smith's return, the London Company now had a map that is still usable and accurate, including the charting of shoals. They had a location of settlements and a description of native America, a census of its "bowmen," including tribal names and territories, with an accompanying text of eight thousand words.

Smith's Chesapeake discoveries made it clear that America was not about gold and silver but about achievement and hard work. America was the opportunity of land—rich, broad, and deep-soiled. It was not a Peru or Mexico of instant conquest and treasure, nor was it an island of lotus eaters. Its resources would yield only to yeoman faith, patience, and "American" ingenuity. To Smith's kind of people.

SULTANA PROJECTS, INC.,
THE CAPTAIN JOHN SMITH 400 PROJECT,
Chestertown, MD, April 27, 2005.

Hon. PAUL S. SARBANES,
U.S. Senate, Washington, DC.

Letter in support of Senate Bill S. 336—Captain John Smith Chesapeake National Historic Watertrail Study Act of 2005

DEAR SENATOR SARBANES: Sultana Projects, Inc., based in Chestertown, Maryland, is a strong supporter of Senate Bill S. 336 and the Captain John Smith Chesapeake National Historic Watertrail Study Act of 2005.

Our nonprofit organization is committed to this bipartisan effort as a way of preserving the natural, historic and cultural resources of the Chesapeake Bay for future generations.

This magnificent Bay and its fragile environment is a national treasure, belonging to all Americans. It is the very birthplace of this great nation, providing life and sustenance to its native peoples for thousands of years, and those who have settled here in the past 400 years.

At the present time, Sultana Projects is engaged in a project marking John Smith's exploration of the Bay in 1608 and will reenact Smith's historic voyage in 2007, tracing a trail of nearly 1,700 miles. This effort will help to bring national attention to the region and demonstrate the viability of the national watertrail on the Chesapeake.

As proposed, this study of the Captain John Smith Chesapeake National Historic Watertrail will support both conservation and economic initiatives needed to rebuild the rich ecology of the Bay and the fishing industries which once thrived here. Further, this initiative is a necessary first step in examining the potential for greater public access to the Chesapeake and its tributaries. This will benefit not only the

16 million people living in the Chesapeake watershed today, but millions of Americans who visit its waters each year.

Future generations depend on our taking action now. We urge you to throw your full political clout behind Senate Bill 336 and press your colleagues to support this legislation to assure that the Chesapeake Bay remains a national treasure for all time.

We appreciate your support and that of your Senate colleagues.

Sincerely,

DREW McMULLEN,
President.

February 17, 2005.

Hon. PAUL S. SARBANES,
U.S. Senate, Washington, DC.

Hon. JOHN W. WARNER,
U.S. Senate, Washington, DC.

DEAR SENATORS SARBANES AND WARNER: The Chesapeake Bay, rich in cultural heritage as the cradle of our nation, and internationally known as a magnificent estuary abundant in natural resources, is truly an American treasure deserving of national recognition.

In honor of the 400th anniversary of the founding of Jamestown in 1607 and the voyages of exploration in the Chesapeake Bay, we support the establishment of the Capt. John Smith Chesapeake National Water Trail. The current Chesapeake Bay Gateways effort and the Water Trails program have been very successful, and this study would be an important complement to the existing effort.

Accordingly, we wish to express our support for the bipartisan legislation you are introducing to authorize the National Park Service to study the national significance of Smith's voyages of exploration and the feasibility of establishing a water trail to commemorate the voyages. We believe that the study should include an analysis of the benefits of the trail for education, outdoor recreation, and heritage tourism.

It is only fitting to honor the man who ensured the survival of the Jamestown colony, and explored and mapped in detail over 2,000 miles of the Chesapeake Bay. Captain John Smith set the tone for a nation based on egalitarian principles and fixed an indelible image of the natural splendors and rigors of life on this continent through his descriptions of American Indian culture.

A John Smith Chesapeake National Water Trail will serve as an unparalleled aquatic national recreational resource—forever telling the story of our nation's remarkable maritime culture, historical settlements and our goal to sustain the world's most productive estuary.

Your support of the study is critical to recognize this exceptional national resource.

Respectfully,

EDWARD G. RENDELL,
Governor,
Commonwealth of Pennsylvania.
ROBERT L. EHRLICH, JR.,
Governor,
State of Maryland.
MARK R. WARNER,
Governor,
Commonwealth of Virginia.
RUTH ANN MINNER,
Governor,
State of Delaware.
MIKE WAUGH,
Chair,
Chesapeake Bay Commission.
ANTHONY A. WILLIAMS,
Mayor,
District of Columbia.

COMMONWEALTH OF VIRGINIA,
JAMESTOWN 2007 STEERING COMMITTEE,
Williamsburg, VA, April 26, 2005.

Hon. GEORGE F. ALLEN,
*Member, Committee on Energy and Natural Resources, U.S. Senate, Washington,
DC.*

DEAR SENATOR ALLEN: I am writing to you in support of the *Captain John Smith Chesapeake National Historical Watertrail Study Act of 2005*.

In 1997, you began the ten-year countdown to 2007 by challenging the Jamestown 2007 Steering Committee to develop a vision for the 400th anniversary of the establishment of the first permanent English settlement in America. Likewise, the Jamestown 400th Commemoration Commission, created by Congress in 2000, is working with the Jamestown 2007 Steering Committee and other agencies of the Commonwealth to facilitate and implement federal involvement in this important effort. Over 120 Virginia communities have taken up the challenge and are developing local plans and grass roots involvement that reflects the character of their localities. We are successfully coordinating these efforts and are implementing a series of exciting, entertaining and educational events and initiatives across the Commonwealth. These projects will lead up to, and extend beyond, the May 2007 commemoration of the landing at Jamestown.

The designation of the John Smith Watertrail will be an opportunity for federal, state and local cooperation to create another important and lasting legacy.

While we have been working hard to interpret many historical components of the early years of the settlement, few projects speak as pointedly to the concept of exploration as does this legislation. It goes beyond our mandate and capability to fully educate the public on the length and breadth of Smith's curiosity and struggle to document America's bounty. The designation of the Watertrail would be an extremely useful, real and thematic addition to our educational efforts. Additionally, many of the locations encompassed in this study still retain their natural beauty, to the degree that Captain Smith would have little trouble recognizing them were he to come back today. No doubt, if the Act is enacted, many future generations will have a firsthand appreciation of your foresight as they explore these same rivers, creeks, streams, coves, bays and islands for themselves.

Please consider complementing the work of the Jamestown 2007 Commemoration by passing this important and historic piece of legislation.

Sincerely,

STUART CONNOCK,
Chairman.

○